

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

207

CWP-6640-2009

Date of Decision: 02.11.2023

O.P. Kumar

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Gulshan Sharma, Advocate for the petitioner

Mr. Rohit Arya, DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to restore one-third commuted pension of the petitioner on completion of fifteen years from the date of commutation.

2. Learned counsel for the petitioner contends that the petitioner's claim is covered as per Government instructions, dated 02.06.1989, Annexure P-15, which is to the effect that an employee who got his pension commuted, can get commuted portion of the pension restored after surrendering full value of commutation together with notional interest. The petitioner is ready and willing to surrender full value of the commuted pension along with notional interest as applicable in his case.

3. Learned State counsel submits that in case representation to that effect is made by the petitioner, the same shall be decided granting the due relief in terms of instructions dated 02.06.1989.

4. In view of the statement made by learned State counsel, the instant petition stands disposed of with liberty to the petitioner to file a representation before respondent No.3 within a period of two weeks from today. In case any such representation is filed, the same shall be decided by respondent No.3 by passing a speaking order regarding grant of claimed relief in terms of instructions, dated 02.06.1989, within a period of eight weeks from the date of receiving the representation.

(TRIBHUVAN DAHIYA)
JUDGE

02.11.2023
Payal

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>