

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-16149-2023 (O&M)
Date of Decision:-21.08.2023

Ravinder Kumar Aggarwal

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Karajveer Singh, Advocate, for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner who retired on 31.10.2008 as an Executive Engineer from Punjab Water Supply and Sewerage Board, seeks issuance of a writ in the nature of Mandamus to direct the respondents to correctly calculate the notional pay of the petitioner and accordingly fix the pension and release the dues along with interest.
2. Learned counsel for the petitioner submits that when the petitioner superannuated from service it transpired that while fixation of his pension, the notional pay had been calculated by comparing the notional pay of his junior namely Arjan Das Malhotra. It has been submitted that although the petitioner had been taking up the matter with the respondents and has also submitted various representations and had also submitted a legal notice dated 01.11.2022 but to no avail. Learned counsel has drawn the attention of this Court to letter dated 17.6.2022 (Annexure P-4) received from Public Pension

Officer-cum-Executive Engineer pursuant to his application filed under RTI seeking information pertaining to his representations which reads as under:

“Regarding the subject matter, it is written to you that no document has been requested in the information sought by you under the RTI Act dated 27.05.2022. As far as the letter No.1903 dated 23.9.2021 received from Chief Engineer (South) Jalas Department dated 03.09.2021 is mentioned, it is said that this matter is related to the Py-Parity which is in under consideration of the office.”

3. Learned counsel while referring to the aforesaid letter has submitted that since, the department is sitting over the matter as is evident from the RTI information, a direction may be issued to the respondents to decide the matter at the earliest.
4. Having regard to the limited prayer made on behalf of the petitioner, the instant petition is disposed off with a direction to respondents No.2 and 3 to take a decision in the matter pertaining to the fixation of pay and pension which is stated to be pending as per letter dated 17.6.2022 (Annexure P-4). The respondents to dispose of the matter by passing a speaking order expeditiously, preferably within a period of 4 months from today. It is however, made clear that the aforesaid directions shall not be construed to extend any kind of limitation, in case it is found that the claim of the petitioner suffers from delay and latches.
5. A copy of this order be sent to respondents No.2 and 3 for necessary compliance.

21.08.2023

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No