

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(106)

CWP No.17742 of 2023

Date of Decision : 23.08.2023

Durga Parsad Goel

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shvetanshu Goel, Advocate with
Mr. Shrey Goel, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed for quashing of impugned order dated 11.07.2023 attached as Annexure P-12 and further directing the respondent authorities to revise the pension and release the entire pensionary benefits and arrears to the petitioner as per his entitlement.

Learned counsel for the petitioner argues that the pension of the petitioner has not been fixed by the respondents keeping in view the Office Memorandum dated 08.09.2016, which provides the method for fixing the pension under the Revised Pension Rules (Part-II) 2009.

Learned counsel for the petitioner further submits that though the said order is not on record but keeping in view the said Office Memorandum, even in the pay band of ₹37400-67000 having grade pay of ₹10.000/-, the minimum pension would come to ₹26,695/- whereas, the petitioner is being paid pension at

the lesser rate which is contrary to the decision taken by the Government itself.

Notice of motion.

Mr. Pankaj Middha, Additional Advocate General, Haryana, who is present in the Court accepts notice.

Learned counsel for the respondents submits that in case the petitioner raises his claim before the authorities concerned by placing reliance upon the Office Memorandum dated 08.09.2016 by filing any appropriate representation, the same will be considered in accordance with law and appropriate order will be passed within a period of eight weeks of the receipt of any such representation.

Learned counsel for the respondents further submits that in case after the decision on the representation, the petitioner is found entitled for any relief, the same will also be released to him within a further period of four weeks.

Learned counsel for the petitioner submits that the present petition may be disposed of as having been not pressed any further with liberty to the petitioner to file appropriate representation on the basis of the Office Memorandum dated 08.09.2016.

Ordered accordingly.

August 23, 2023
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No