

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CWP-21790-2023

Date of decision: 17.10.2023

RAJ KUMAR AND ORS

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Riti Aggarwal, Advocate
for the petitioners.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to release the arrears of revised pension and pensionary allowance and all other benefits which have been withheld by the respondent-department.

Learned counsel for the petitioners contends that the petitioners have retired from the Punjab Government after attaining the age of superannuation and a chart showing their names, date of appointment and date of retirement at Annexure P-1. He submits that the petitioners are entitled for arrears of revised pension and pensionary allowance and remaining dues. Learned counsel further submits that petitioners have served a legal notice dated 13.02.2023 (Annexure P-8) to the respondents, which has not been taken into consideration till date and the petitioners would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG, Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 to 3 and submits that respondents No.4 to 7 are the competent authority to take final decision and he does not object to the prayer made by learned counsel for the petitioners.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the legal notice dated 13.02.2023 (Annexure P-8), respondents No.4 to 7 are directed to decide the legal notice, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioners are found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to them within a period of 8 weeks thereafter.

The petition stands disposed of.

October 17, 2023
Nisha-II

(DEEPAK MANCHANDA)
JUDGE

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