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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-28731-2022
Date of Decision: 06.02.2023

JAI DEV RISHI AND OTHERS

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Bandana Dogra, Advocate, for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of *Mandamus* directing the respondents to decide the representation (Annexure P-4) of the petitioners and to revise the pension/retiral benefits of the petitioners by revising/re-fixing the pension of the petitioners by implementing Pension Revision Formula @ 2.59% or of the Central Government @ 2.57% by enhancing the salary of the petitioners according to the Pay Band (6th Pay Commission).

Learned counsel for the petitioners submitted that all the petitioners retired from the respondent-Corporation and they are entitled for the revision of their pension/pensionary benefits by way of re-fixation of pension in accordance with the Re-fixation of Pension Formula. She

submitted that all the petitioners are above the age of 70 years and acute hardship has been caused to them. She submitted that the petitioners have also submitted a representation Annexure P-4 but the same has not been considered by the respondent-Corporation and even prior to that also number of representations were given to them but no action was taken. She submitted that she will be satisfied in case the present petition is disposed of at this stage for directing the respondent-Corporation to consider and decide their representation Annexure P-4 in accordance with law.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of respondent No.1 and Mr. Vikram Preet Arora, Advocate accepts notice on behalf of respondents No. 2 to 6

Learned counsel appearing on behalf of respondents No. 2 to 6 submitted that he has no objection in case the prayer of the petitioners for seeking a direction to consider and decide the representation (Annexure P-4) within the time period as directed by this Court is considered by the respondent-Corporation strictly in accordance with law.

In view of the aforesaid position and the limited prayer of the learned counsel for the petitioners and also the statement made by the learned counsel for the respondent-Corporation, the present petition is disposed of with a direction to consider and decide the representation (Annexure P-4) filed by the petitioners strictly in accordance with law within a period of three months from today. In case thereafter the petitioners are entitled for the grant of the relief claimed by them, then the

same shall be granted within next three months alongwith interest @ 6% per annum and in case the petitioner are found to be not enitled for any reason under the law, then respondent No.2/competent authority shall pass a well-reasoned speaking order in this regard which shall be communicated to all the petitioners.

06.02.2023

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No