

119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-27445-2023
Date of decision: 07.12.2023

Sukhminder SinghPetitioner

V/s

State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Surinder Garg, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant writ 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 revised gratuity, revised leave encashment, GPF, D.A installments, arrears of revised pay as well as revised pension and medical reimbursement amount of Rs.22,500/- and any other benefit for which the petitioner is entitled be also released along with interest @ 18% per annum.

Learned counsel for the petitioner contends that the petitioner was appointed as Clerk on 19.09.1980 with the office of Respondent No.4 and thereafter he was promoted as Inspector and retired as Inspector on 30.04.2019.He submits that in the year 2021, the Pay Scales of Punjab Government employees were revised accepting the recommendations of 6th Pay Commission and the Punjab Civil Services (Revised Pay) Rules 2021 have been made applicable w.e.f. 01.01.2016. Since the petitioner retired on 30.04.2019, therefore, the pay of the petitioner is liable to be

fixed in the Revised Pay Scales w.e.f. 01.01.2016 and all his retiral benefits have to

be revised accordingly. Learned counsel further contends that the petitioner has also served legal notice dated 31.10.2023 (Annexure P-2) to respondents, which has not been taken into consideration till date and the petitioner 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 respondents No.1 to 3 and Mr. Sanjeev Soni, Advocate, who is also present in the Court, accepts notice on behalf of respondent No.4 and they do not object to the prayer made by learned counsel for the petitioner.

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 petitioner in the legal notice dated 31.10.2023 (Annexure P-2), respondent No.4 is directed to decide the aforesaid legal notice in accordance with law, 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 petitioner is found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to the petitioner within a period of 8 weeks thereafter.

The petition stands disposed of.

07.12.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No