

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(117)

CWP-28586-2023

Date of decision: - 19.12.2023

Inderdhir Gill

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Jatin Salwan, Advocate,
for the petitioner.

Mr. Kunal Muthreja, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. Present 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 revise the pensionary benefits of the petitioner after granting her the benefit of increasing qualifying service of 5 years towards pension and gratuity under Rule 4(2) of The Punjab Civil Services (Premature Retirement) Rules, 1975 amended up to 30th July, 1985.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 04.12.2023 (Annexure P-4) and at this stage, the petitioner would be satisfied in case competent authority of respondent No.1 considers the same in accordance with law, within a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant

the appropriate relief to the petitioner.

3. Learned counsel appearing for the respondents has submitted that competent authority of respondent No.1 would consider the said legal notice dated 04.12.2023 (Annexure P-4), filed by the petitioner, in accordance with law and the same would be done within a period of four weeks from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to competent authority of respondent No.1 to consider the legal notice dated 04.12.2023 (Annexure P-4) filed by the petitioner within a period of four weeks from the date of receipt of the certified copy of this order and in case competent authority of respondent No.1 is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to the petitioner as expeditiously as possible. In case, competent authority of respondent No.1 is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of four weeks.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of respondent No.1 would consider and decide the matter independently, in accordance with law.

December 19, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No