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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-754-2024

Date of decision: 12.01.2024

Baljinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sandeep Arora, Advocate for the petitioners.

Mr. Kunal Muthreja, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of certiorari for setting aside para 5.1 of the Punjab Government circular letter No.3/1/2021-3FPPC/276 dated 29.10.2021 (Annexure P-4) to the extent wherein it lays down the manner for revision of pension by adding dearness allowance @ 113% of the existing basic pension against an admissible dearness allowance @ 125% w.e.f. 01.01.2016 along with all consequential benefits in view of the position explained in the writ.

2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners in the present writ petition, the petitioners had given a legal notice dated 15.09.2023 (Annexure P-11) and they would be satisfied at this stage, in case, the competent authority of respondent No.1-State is directed to consider the said legal notice dated

15.09.2023 (Annexure P-11) in a time bound manner and in case, the pleas raised by the petitioners are found to be meritorious then to grant necessary relief in accordance with law.

3. Learned State Counsel has submitted that the competent authority of respondent No.1-State would consider the said legal notice dated 15.09.2023 (Annexure P-11) in accordance with law, as expeditiously as possible preferably within a period of eight weeks from the date of receipt of certified copy of the present order.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No.1-State to consider legal notice dated 15.09.2023 (Annexure P-11) in accordance with law within a period of eight weeks from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioners are found to be meritorious then the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioners are not meritorious then a speaking order rejecting the same be passed within a period of eight weeks from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider the case of the petitioners independently, in accordance with law.

12.01.2024

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No