

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-578-2024
Date of decision : 11.01.2024

Nahar SinghPetitioner

V/S

State of Punjab and othersRespondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Nitesh Singla, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of mandamus in the form of direction to the respondents-authorities to refix the pension of the petitioner by making correction in pension book and further to release the arrears of less pension along with interest @ 9% per annum.
2. Learned counsel for the petitioner at the outset confines his prayer for deciding legal notice dated 23.08.2023 (Annexure P-5). He submits that at this stage, petitioner would be satisfied, if the said legal notice is decided by passing a speaking order within a time bound frame.
3. Notice of motion.
4. Mr. Arun Gupta, AAG, Punjab, who is present in Court accepts notice on behalf of the respondents No.1 to 3 and Mr. Sanjeev Soni, Advocate with Mr. Tara Dutt, Advocate accepts notice on behalf of respondent No.4. He submits that respondent No.4/competent

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authority will look into the matter and will take a decision on the claim raised by the petitioner in the legal notice, in accordance with law.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.4-Competent Authority is directed to consider and decide the claim made in the legal notice dated 23.08.2023 (Annexure P-5) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, his claim be released within a period of six weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioner merits rejection the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioner within the time as stipulated hereinabove.

7. The petition stands disposed off.

11.01.2024

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No