

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

CWP-3192 of 2024

Date of decision: 14.02.2024

Hira Lal

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. K.R. Dhawan, Advocate,
for the petitioner.

Mr. Rajan Dewan, Addl. A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed under Articles 226 and 227 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondent-department to release the arrears of pensionary benefits in view of letter dated 29.10.2021 (Annexure P-2) vide which recommendations of Sixth Pay Commission were implemented regarding the pensioners and maximum limits of payable gratuity was raised from Rs.10 lakh to Rs.20 lakh w.e.f. 01.01.2016 by the State of Punjab along with interest @ 18% on the delayed payment of pensionary benefits.

2. Learned counsel for the petitioner at the outset confines his prayer for deciding legal notice dated 15.11.2023 (Annexure P-3). 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. Rajan Dewan, Addl. A.G., Punjab, who is present in Court accepts notice on behalf of the respondents.
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.3-Competent Authority is directed to consider and decide the claim made by the petitioner in the legal notice dated 15.11.2023 (Annexure P-3) 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, necessary benefits be released within a period of three weeks thereafter.
7. The petition stands disposed of.

14.02.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No