

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CWP-4450-2024 (O&M)
Date of decision: 27.02.2024

Darshan Lal Arora and Another
.....Petitioners
Versus
State of Punjab and Others
...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sanjeev Kumar Arora, Advocate for the petitioners

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to determine the basic pension of the petitioners as per para 5.1 (a) of the circular/order dated 29.10.2021.
2. Learned counsel submits that the petitioner retired on 31.07.2001 and 28.02.2001 respectively, however, the pension, which was fixed, incorrectly done inasmuch as ignoring para 5.1 (a) of the circular/order dated 29.10.2021, Annexure P-2, as per which, they were entitled to higher pension being retirees, pre 01.01.2006. In this regard, a legal notice dated 12.10.2023, Annexure P-5, has been served upon respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting him an opportunity of hearing.
3. Notice of motion.
4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab

accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider and decide the legal notice dated 12.10.2023, Annexure P-5 within a period of 6 months and if found entitled, necessary benefits be granted to the petitioner forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating him therewith.

(AMAN CHAUDHARY)
JUDGE

27.02.2024
M.Kamra

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