

2024:PHHC:030254
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

137 CWP-5092-2024 (O&M)
Date of decision: 04.03.2024

Daya Singh and others ..Petitioners

Versus

State of Punjab and others ..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Ms. Meenu, Advocate for the petitioners.

AMAN CHAUDHARY, J

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus directing the respondents to release the arrears from 01.01.2016 to 30.06.2021 to the petitioners along with interest.
2. Learned counsel would submit that the petitioners were superannuated after 01.01.2016 and revision/refixation of their pension/retiral benefits has already been effected, in terms of notifications dated 05.07.2021 and 29.10.2021, however, arrears on account thereof as well as revised leave encashment have not been granted. She places reliance upon **Ram Lal and others vs. State of Punjab and others, CWP-20649-2023**, involving a similarly situated employee, which was disposed of by relying upon the judgment passed in **Anita Gupta vs. State of Himachal Pradesh and others, CWP-7359-2021**. In this regard, a representation dated 04.02.2023, Annexure P4, has been submitted by them, which has yet not evoked any response. She thus, at this stage, on instructions, submits that the petitioners are 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 them an opportunity of hearing.
3. Notice of motion.

4. At the asking of the Court, Mr. Amarpreet Singh Bains, AAG, 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 the respondents to consider and decide the representation dated 04.02.2023, Annexure P4, taking into account the pleas of the petitioners and aforesaid judgments, as referred by them, within a period of 6 months and if found entitled, necessary benefit be granted to them forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating them therewith.

04.03.2024
ashok

(AMAN CHAUDHARY)
JUDGE

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