

2024:PHHC:055419

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CWP-9057-2024 (O&M)
Date of decision: 24.04.2024

Anil Kumar 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. (ORAL)

1. The prayer in the present petition is for 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. Arun Gupta, DAG Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the above and without commenting on 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 in light of the afore-referred judgments, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

24.04.2024
M.Kamra

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