

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-9236-2023
Date of decision: 06.03.2024

Satish Kumar and othersPetitioners
Versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Nitesh Singla, Advocate for the petitioners.
Ms. Arundhati Kulshreshtha, A.A.G., Punjab.
Mr. Parambir Singh, Advocate for respondent No.5.

NAMIT KUMAR J. (Oral)

1. The present petition has been filed by the petitioners under Articles 226/227 of the Constitution of India seeking a writ of mandamus for directing the respondents to release the arrears of pensionary benefits of the petitioners along with 18% interest on the delayed payments 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.10.00 lakh to Rs.20.00 lakh w.e.f. 01.01.2016 by the State of Punjab.
2. Learned counsel for the petitioners submits that for claiming the said relief, the petitioners have also submitted legal notice dated 07.01.2023 (Annexure P-3), which is still pending consideration with the respondents and at this stage, the petitioners would be satisfied, if appropriate directions are issued to respondent No.5 to consider and

decide the said legal notice, by passing a speaking order in a time bound manner.

3. Learned counsel for the respondents have no objection to the innocuous prayer made by the learned counsel for the petitioners and submit that the said legal notice shall be considered by respondent No.5.

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

5. Without expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.5 is directed to consider and decide the claim made by the petitioners in the legal notice dated 07.01.2023 (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 petitioners are found held entitled, the necessary benefits be released within a period of six weeks thereafter.

6. The petition stands disposed of, in the above terms.

06.03.2024
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(NAMIT KUMAR)
JUDGE

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