

2024:PHHC:113523



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CWP No.21770 of 2024 (O&M)  
Date of decision: 02.09.2024

Vir Bhan and others  
.....Petitioners  
Versus  
State of Punjab and others  
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. J.S. Bhandari, Advocate  
for the petitioners.  
  
Mr. Rajesh Sehgal, Addl. A.G., Punjab  
for the respondents.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioners under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to pay arrears due towards the petitioners from 01.01.2016 to 31.07.2021, which became due towards them as per the notification dated 05.07.2021 (Annexure P-2), through which 6<sup>th</sup> Pay Commission was implemented by Government of Punjab. Further prayer has been made to direct the respondents to pay the arrears for the period 01.01.2016 to 31.07.2021 to the petitioners along with interest @ 18% per annum.
2. Learned counsel for the petitioners submits that the petitioners retired from service on attaining the age of superannuation on various dates, however, as per the notification dated 05.07.2021 (Annexure P-2) vide which 6<sup>th</sup> Pay Commission was implemented by

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Government of Punjab, the arrears due towards the petitioners from 01.01.2016 to 31.07.2021, have not been released despite submitting various representations followed by a legal notice dated 16.05.2024 (Annexure P-3). He further submits that the petitioners would be satisfied in case time bound directions are issued to respondent No.2 to consider and decide the said legal notice dated 16.05.2024 (Annexure P-3), by passing a speaking order.

3. Notice of motion.
4. On the asking of the Court, Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of the respondents and has no objection to the innocuous prayer made by learned counsel for the petitioners.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.2 to decide legal notice dated 16.05.2024 (Annexure P-3), submitted by the petitioners expeditiously, by passing a speaking order, preferably within a period of 03 months from the date of receipt of certified copy of this order. Necessary benefits, if any, found due to the petitioners shall be released expeditiously preferably within a period of 04 weeks thereafter.

(NAMIT KUMAR)  
JUDGE

02.09.2024

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No