



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.25392 of 2024 (O&M)
Date of decision: 01.10.2024

Kartar Singh and others

....Petitioners

Versus

Market Committee Banur and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Kinshu Mittal, Advocate for the petitioners.

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 release the payment of arrears of revised pension w.e.f. 01.01.2016 to 30.06.2021 in one go and enhancement of dearness allowance w.e.f. 01.01.2016 at par with Central Government Pattern as recommended by the Sixth Pay Commission in Para 7.7. to 7.11 (Annexure P-8) along with arrears of revised DA as enumerated in the writ petition along with interest @ 18% per annum on delayed payments in the light of Punjab Govt. Notification dated 29.10.2021 (Annexure P-3) read in conjunction with Punjab Civil Services Revised Pay Rules, 2021 on 05.07.2021 (Annexure P-1).

2. Learned counsel for the petitioners submits that the petitioners retired from service on attaining the age of superannuation prior to 01.01.2016. However, their arrears of revised pay/pension and other retiral benefits w.e.f. 01.01.2016 to 30.06.2021 based on the

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recommendations of the Sixth Pay Commission have not been paid. Learned counsel for the petitioner submits that at this stage, the petitioners would be satisfied, if the legal notice dated 15.07.2024 (Annexure P-6) is considered and decided by passing a speaking order in a time bound manner.

- 3. Notice of motion.
- 4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents No.4 and 5 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 expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.3 is directed to consider and decide the claim made by the petitioners in legal notice dated 15.07.2024 (Annexure P-6) 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 entitled, necessary benefits be released to them within a period of three weeks thereafter.
- 7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

01.10.2024

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No