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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.28802 of 2024 (O&M)
Date of decision: 24.10.2024

Sawaran Lal and others

....Petitioners

Versus

The Punjab State Power Corporation Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Gursimran Singh Bhatia, Advocate
and Mr. Sanjeev Kumar Banga, 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 arrears of revised pay/pension of the petitioners (retirees from PSPCL) from 01.01.2016 to 30.06.2021 and arrears of other pensionary benefits on account of revised pay from 01.01.2016 to 30.06.2021 along with interest @ 18% per annum w.e.f. 01.07.2021 till the realization of the same, on the basis of Sixth Punjab Pay Commission, implemented w.e.f. 01.01.2016 by the Department of Finance, Govt. of Punjab i.e. respondent No.2. Further prayer has been made to direct the respondents to revise and refix the pension of the petitioners by taking into account

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125% D.A. instead of 113% D.A. and thereafter, grant 15% of minimum benefit w.e.f. 01.01.2016 along with all consequential benefits of pension/family pension as on 31.12.2015 including the arrears w.e.f. 01.01.2016 till 30.06.2021 along with interest @ 18% per annum, especially in view of the circumstances as enumerated in the writ petition, the revised pension and pensionary benefits be given by taking into account 2.59 factor on the basic pay as on 31.12.2015 w.e.f. 01.01.2016.

2. Learned counsel for the petitioners submits that for grant of aforesaid benefits, petitioners have submitted a legal notice dated 17.09.2024 (Annexure P-5) upon the respondents, however, same has not been replied till date. He submits that at this stage, petitioners would be satisfied, if the said legal notice is considered and decided by passing a speaking order within a time bound frame.

3. Notice of motion.

4. Mr. Pratap Singh Gill, Advocate 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 expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.1 is directed to consider and decide the claim made by the petitioners in legal notice dated 17.09.2024 (Annexure P-5), in

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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 within a period of three weeks thereafter.

(NAMIT KUMAR)
JUDGE

24.10.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No