

CWP-29164 of 2024

2024:PHHC:140386



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-29164 of 2024

Date of decision: 25.10.2024

Surinder Singh Malhi and others

.....Petitioners

Versus

The Punjab State Power Corporation Limited and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. B.S. Sidhu, Advocate,
for the petitioners.

Mr. R.S. Gill, Advocate,
for Mr. K.S. Kharbanda, Advocate,
for respondents No.1 and 3 to 5.

Mr. Surya Kumar, AAG, Punjab,
for respondent No.2.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondents to release the arrears of revised pay/pension of the petitioners 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 at the rate of 18% w.e.f. 01.07.2021 till realization of the same on the basis of implementation of Sixth Punjab Pay Commission. Further direction has been sought to the respondents to revise and refix the pension of the petitioners by taking into account 125% DA instead of 113% and thereafter grant

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15% of minimum benefit w.e.f. 01.01.2016 along with all consequential benefits of the pension/family pension as on 31.12.2015 including arrears w.e.f. 01.01.2016 till 30.06.2021 along with interest @ 18% per annum.

2. Learned counsel for the petitioners submits that for grant of aforesaid benefits, the petitioners have served legal notice dated 10.05.2024 (Annexure P-5) upon the respondents, however, no action has been taken thereon 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 in a time-bound frame.

3. Notice of motion.

4. Mr. R.S. Gill, Advocate, accepts notice on behalf of Mr. K.S. Kharbanda, Advocate, for respondents No.1 and 3 to 5 and Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondent No.2 and they have no objection to the innocuous prayer made by learned counsel for the petitioner.

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 10.05.2024 (Annexure P-5) 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

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case, the petitioners are found entitled, necessary benefits be released within a period of three weeks thereafter.

7. The petition stands disposed of.

25.10.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No