

CWP-29178 of 2024

2024:PHHC:140810



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

CWP-29178 of 2024

Date of decision: 28.10.2024

Brij Mohan and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: - Mr. Nitesh Singla, Advocate,  
for the petitioners.

Mr. Surya Kumar, AAG, Punjab,  
for respondents No.1 and 2.

Mr. Vipul Jindal, Advocate,  
for respondents No.3 to 10.

**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 pension/family pension including arrears of revised leave encashment to the petitioners occurred on account of implementation of 6<sup>th</sup> Punjab Pay Commission from 01.01.2016 to 30.06.2021. Further direction has been sought to the respondents to release the arrears of dearness allowance at the rates based on All India Consumer Price Index and Central Pattern.

2. Learned counsel for the petitioner submits that the petitioners retired from service on attaining the age of superannuation prior to 01.01.2016. However, their arrears of revised pension/family

CWP-29178 of 2024

2024:PHHC:140819



pension and other retiral benefits w.e.f. 01.01.2016 to 30.06.2021 based on the recommendations of the Sixth Pay Commission have not been paid. Learned counsel submits that at this stage, petitioners would be satisfied, if the legal notice dated 20.05.2024 (Annexure P-3) is considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents No.1 and 2 and Mr. Vipul Jindal, Advocate, accepts notice on behalf of respondents No.3 to 10 and they have 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.2 is directed to consider and decide the claim made by the petitioners in legal notice dated 20.05.2024 (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.

7. The petition stands disposed of.

**(NAMIT KUMAR)**  
**JUDGE**

28.10.2024  
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No