

CWP-30176 of 2024

2024:PHHC:152784



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

CWP-30176 of 2024

Date of decision: 21.11.2024

Surinder Kumar and others

.....Petitioners

Versus

The State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Ms. Gitanjali Chhabra, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

CM-18899-CWP of 2024

1. This application has been filed by the applicants-petitioners under order 1 Rule 10 read with Section 151 CPC for impleading the Director, Government of Punjab, Department of Local Bodies, as respondent No.3 in the writ petition.

2. For the reasons mentioned in the application, same is allowed. Director, Government of Punjab, Department of Local Bodies, is permitted to be impleaded as respondent No.3 in the writ petition. Amended memo of parties is taken on record. Office to tag the same at an appropriate place.

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1. This writ petition has been filed under Articles 226 and 227 of the Constitution of India for directing the respondents to release the arrears of revised pension/family pension to the petitioners on

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account of implementation of 6th Punjab Pay Commission along with interest @ 18% per annum. Further prayer has been made for direction to the respondents to release the entire claims of retiral benefits i.e. pending from 01.01.2016 to 30.06.2021 i.e. factor 2.59, DA 125% instead of 113%, DA @ 50%+3% w.e.f. July, 2024 at par with the Central Government India and arrears of pay revision w.e.f. 01.01.2016 to 30.06.2021 along with 18% interest as per notification dated 29.10.2021 (Annexure P-3).

2. Learned counsel for the petitioners submits that for the release of aforesaid benefits, petitioners have served legal notice dated 23.09.2024 (Annexure P-5) upon the respondents. However, neither the said benefits have been released nor the legal notice has been replied to as yet. 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. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of 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.3 is directed to consider and decide the claim made by the petitioners in legal notice dated 23.09.2024 (Annexure P-5) in

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accordance with law, by passing a speaking order within a period of four 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.

7. The petition stands disposed of.

21.11.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No