

CWP-31028 of 2024

2024:PHHC:150789



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

CWP-31028 of 2024

Date of decision: 19.11.2024

Joginder Singh Randhawa 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. Rajesh Sehgal, Addl. A.G., Punjab.

Dr. Anand Kumar Bishnoi, Advocate,
for respondents No.2 to 4.

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 revise the pension of the petitioners by taking dearness allowance @ 119% on the basic pension as on 31.12.2015 instead of dearness allowance @ 113% on the basic pension/pay as on 31.12.2015 in view of letter dated 24.05.2023 (Annexure P-5) vide which the respondent-department enhanced the dearness allowance to 119% for the period 01.07.2015 to 31.12.2025 along with all arrears of pension/pay and consequential benefits along with interest @ 12% per annum. Further, direction has been sought to the respondent-department to release arrears of revised pension/family pension/pay to the petitioners on account of implementation of 6th Punjab Pay Commission w.e.f. 01.01.2016 to 30.06.2021

2. Learned counsel for the petitioners at the very outset confines his prayer for deciding legal notice dated 16.07.2024 (Annexure P-10). He submits that at this stage, petitioners would be

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satisfied if the said legal notice is decided by passing a speaking order within a time-bound frame.

3. Notice of motion.

4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondent No.1-State and Dr. Anand Kumar Bishnoi, Advocate, accepts notice on behalf of respondents No.2 to 4 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 16.07.2024 (Annexure P-10) 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 within a period of three weeks thereafter.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

19.11.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No