



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

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**CWP No.31829 of 2024 (O&M)
Date of decision: 26.11.2024**

Mohinder Singh 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.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioners under Article 226 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to revise the pay/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 respondent – department enhanced the dearness allowances to 119% for the period 01.07.2015 to 31.12.2015, along with all arrears of pension/pay and consequential benefits with interest @ 12% per annum. Further prayer has been made to direct the respondent – department to release arrears of revised pension/family pension/pay/leave encashment to the petitioners on account of implementation of 6th Punjab Pay Commission w.e.f. 01.01.2016 to 30.06.2021 along with interest @ 12% per annum. Another prayer has been made to direct the respondent - department to release the arrears of dearness allowance at rates based on All India Consumer Price Index

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(AICPI) and Central Pattern as the same has been recommended in the pay commission reports and adopted by the State of Punjab.

2. Learned counsel for the petitioners submits that for claiming the aforesaid relief, the petitioners have submitted a legal notice dated 10.07.2024 (Annexure P-9) and at this stage, the petitioners would be 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 and Mr. Rakesh Roy, Advocate for Mr. Abhilaksh Gaiind, Advocate, accepts notice on behalf of respondents No.2 to 4 and 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 going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.2 to consider and decide the legal notice dated 10.07.2024 (Annexure P-9), submitted by the petitioners expeditiously, by passing a speaking order, preferably within a period of three months from the date of receipt of certified copy of this order.

(NAMIT KUMAR)
JUDGE

26.11.2024

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No