



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CWP-32991-2024
Date of Decision: 09.12.2024

BALJIT SINGH

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Vikram Sheoran, Advocate
for the petitioner.

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed *inter alia* seeking a writ of *mandamus* directing the respondents to re-fix the petitioner's pension by granting him benefit of annual increment in the last year of retirement.

2. Learned counsel for the petitioner submits that at this stage, the petitioner will be satisfied in case he is permitted to make a fresh representation before the Director, Elementary Education, raising the grievance as has been raised in this petition, and the same may be ordered to be decided within a specified period. The law in this regard stands settled by the Supreme Court in *The Director (Admn. and HR) KPTCL and others v. C.P.Mundinamani and others*, 2023 SCC Online SC 401.

3. Notice of motion.

4. Mr. R. S. Budhwar, Addl. A. G., Haryana, accepts notice on behalf of the official respondents/State, and submits that in case any such representation is filed by the petitioner within a period of two weeks, the same will be decided by the Director, Elementary Education, by passing a speaking

order in accordance with law within a period of three months of receiving the representation, keeping in view the law laid down in *C.P.Mundinamani* case (*supra*), as well as the directions issued by the Supreme Court vide interim order, dated 06.09.2024, passed in SLP (C) No.4722 of 2021, that, ‘*The judgment dated 11.04.2023 will be given effect to in case of third parties from the date of the judgment, that is, the pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced pension for the period prior to 30.04.2023 will not be paid*’.

5. In view of the statement made, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.
6. Ordered accordingly.
7. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹50,000 to the petitioner.

(TRIBHUVAN DAHIYA)
JUDGE

09.12.2024
Ad

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No