



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(119)

CWP No. 34197 of 2024
Date of Decision : 18.12.2024

Lakhbir Singh and others

...Petitioners

Versus

Punjab School Education Board

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Dharmender Singh Rawat, Advocate for the petitioners.

Mr. Arun Gupta, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioners submits that the petitioners are entitled for enhancement of the pension keeping in view the Instructions dated 04.07.2019 (Annexure P-9), which benefit is not being given to the petitioners in an illegal and arbitrary manner. Learned counsel submits that keeping in view the judgment of this Court in CWP No. 25733 of 2012 titled as *A.P. Sharma and others Vs. State of Punjab and others*, decided on 22.10.2013, the benefits have been given to the retirees of enhancement of their pension and the respondents themselves have stated that for calculating the pension, the enhanced element of Grade Pay, Secretary/Special Pay is to be taken into account though, the said benefit is to be given prospectively from 01.12.2011 but, the pension of the petitioners has not been revised even from the said date, which is causing prejudice to the petitioners.

2. Learned counsel for the petitioners submits that the petitioners have already raised the said grievance in the legal notice dated 11.11.2024



(Annexure P-11) but the same is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Arun Gupta, Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 11.11.2024 (Annexure P-11) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioners, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioners in the speaking order to be passed and the said order will be duly conveyed to the petitioners.

5. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

December 18, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No