



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

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CWP-20089-2023 (O&M)
Date of decision: 07.02.2025

Shiv Kumar and Others

....Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Vikas Chatrath, Advocate for the petitioners

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition is for directing the respondents to release the revised pension and arrears w.e.f. 01.01.2016 that became payable upto 05.07.2021, keeping in view of the notification dated 05.07.2021, Annexure P-2.

2. Learned counsel for the petitioner places reliance on **Society of Retired Forest Officers vs. State of U.P.**, 2008 (3) KLT 788, wherein Hon'ble the Supreme Court had observed and held that as and when there is a revision of dearness allowance and revision of pay scales then the effect of that revision should be ensured promptly and the fixation should be released as far as possible within two months of the so called revision but that revision shall not suspend the payment of pension at the old rate till it is finalised. As and when the fixation is done, the arrears should be released to the incumbent promptly within a period of two weeks. Reference is made to para 7 of the reply filed by way of short affidavit of Under Secretary to Government of Punjab, Department of Finance dated

06.02.2024, wherein also it has been stated that the matter is under active consideration and a decision thereon be taken. He, thus on instructions states that the claim may be directed to be decided, keeping in view the aforesaid, in a time bound manner. In para 12 of the circular dated 29.10.2021, Annexure P-4, it had been mentioned that the decision regarding the arrears, shall be taken in due course.

3. The aforesaid facts having been brought out, during the course of hearing, learned State counsel on instructions from Aman Mehta, Law Officer for Pension Branch of FD states that 6 months be granted, within which the competent authority would do the needful, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner.

4. The aforesaid satisfies the learned counsel for the petitioners.

5. The matter stands disposed of accordingly and if the petitioners are found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same may be passed after granting opportunity of hearing to them and shall contain reasons, whereupon they shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

07.02.2025
M.Kamra

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