



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

**CM-1037-CWP-2025 in/and
CWP No.31465 of 2024
Date of Decision : 29-01-2025**

DEEPAK KUMAR NIJHAWAN AND OTHERS

.....Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunny Singla, Advocate
for the petitioners.

Mr. T.P.S Chawla, Sr. DAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

The present petition was filed in the year 2024 and the same was adjourned *sine die* as the learned counsel for the petitioners (retired Chief Engineers) had requested for time to place on record the additional material to support the prayer raised in the present petition.

The main petition is taken on regular board today itself.

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This is an application for placing on record the comparison chart as Annexure P-9.

Keeping in view the contents mentioned in the abovementioned application, the same is allowed.

Annexure P-9 is taken on record subject to all just exceptions.

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1. Learned counsel for the petitioners argues that Atma Ram (Retired XEN) was working on a lower post than the petitioners, but still his pension is higher than the petitioner because his pension is being calculated under Section 5.1A of the Policy issued by the Government of Punjab dated 29.10.2021 thus stipulating that the Section 5.1A creates an anomaly so as to grant less pension to a senior employee.

2. Learned counsel for the petitioners (Retired Chief Engineers) further submits that the same issue has already been raised by some of the authorities for the consideration of the Government including the Punjab State Power Corporation Limited, which is still pending with the Government of Punjab.

3. Learned counsel for the petitioners (Retired Chief Engineers) further submits that the petitioners have also raised the grievance qua the said Clause 5.1A of the Notification dated 29.10.2021 in the representation dated 05.01.2022 and thereafter again on 01.02.2022, copies of which has been appended as Annexure P-5 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.

4. Notice of motion.

5. On the asking of the Court, Mr. T.P.S Chawla, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representation dated 05.01.2022 and thereafter again on 01.02.2022 (Annexure P-5) 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 for their information and necessary action.

6. 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.

7. Ordered accordingly.

8. Pending application, if any, also stands disposed of.

29-01-2025

Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE:

Whether speaking: YES

Whether reportable: NO