

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 16520 of 2013
Date of decision : July 20, 2015

Om Parkash

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Sanchit Punia, Advocate
for the petitioner.

Mr. Keshav Gupta, AAG., Haryana.

Mr. V. Ramswaroop, Additional
Advocate General, Punjab for respondent
Nos. 2,4 and 5.

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Amit Rawal, J (oral).

Mr. Harjinder Pal, Executive Engineer, Investigation Division (IB), Hoshiarpur is present in Court and has brought a Banker's Cheque of ₹12,098/- dated 25.4.2015 and ₹16635/- dated 25.4.2015 drawn in favour of the petitioner, the same has been handed over to the learned counsel for the petitioner. The petitioner has sought indulgence of this Court for issuance of a writ in the nature of mandamus for directing the respondents to count the previous service rendered as Junior Engineer w.e.f. 30.10.1984 to

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30.6.1992 with Irrigation Department, Punjab as qualifying service for the purpose of retiral benefits and thereafter re-fix his pay by counting his previous service.

Since the State of Punjab has tendered the payment as noticed above which is the contribution towards leave encashment and pension therefore, no further direction is required to be issued to the State of Punjab as the petitioner had been transferred from Irrigation Department Punjab to Irrigation Department, Haryana w.e.f. 1.7.1992 and has superannuated on 30.4.2014. It is the State of Haryana who has to now take into consideration the services rendered by the petitioner in the State of Punjab and re-fix his pension, leave encashment, gratuity etc.

The present writ petition is disposed of with a direction to the respondent No. 3 to settle the case of the petitioner viz-a-viz re-fixation of pension, leave encashment, gratuity etc. by counting the services rendered as Junior Engineer in the State of Punjab.

Let this exercise be undertaken within three months from the date of receipt of certified copy of this order after giving an opportunity of hearing to the petitioner, much less in accordance with law by passing a speaking and detailed order.

(AMIT RAWAL)
JUDGE

July 20 , 2015
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