

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

CWP-15534-2015 (O&M)
Date of decision : 31.07.2015

Jaswant Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. V.K. Shukla, Advocate,
for the petitioner.

JITENDRA CHAUHAN, J.

Prayer in the present petition filed under Articles 226/227 of the Constitution of India, is for issuance of a direction to the respondents to count the military service rendered by the petitioner during the 1st and 2nd National Emergencies for the purposes of pay and pensionary benefits.

The learned counsel submits that the case of the petitioner is squarely covered by the ratio of law laid down in CWP No.20061 of 2008, *Sukhdev Singh Vs. State of Punjab and others*, decided on 25.11.2009. It is further submitted that for the redressal of his grievance, the petitioner has already served legal notice dated 20.05.2015, Annexure P-12, however, the same has not been decided so far.

Having regard to the nature of the order being passed, there

appears to be no necessity to call upon the respondents to file their counter replies/affidavits, at this stage.

In the circumstances, the present petition is disposed of with a direction to the competent authority, to examine the case of the petitioner as to whether the it is covered by the ratio of law laid down in Annexure P-13, and accordingly decide the legal notice dated 20.05.2015 (Annexure P-12) within a period of two months from the date of receipt of a certified copy of this order. If the case of the petitioner is covered, the consequential benefits be released to the petitioner within a period of two months thereafter.

Disposed of.

31.07.2015

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(JITENDRA CHAUHAN)
JUDGE