

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.3298-2011

Date of Decision: 01.09.2015

ROHTASH SINGH

....Petitioner.

VERSUS

STATE OF HARYANA & ORS

....Respondents.

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. K.S Dhaliwal, Advocate,
for the petitioner.

Mr. Sourabh Mohunta, DAG, Haryana.

P.B BAJANTHRI, J. (Oral)

In this writ petition, the petitioner is seeking direction to the respondents to revise the pension after giving him benefit of two ACP scales with reference to his service records.

During the course of arguments, learned counsel for the petitioner also requested to consider the service rendered from 03.02.1971 to 03.07.1977 during emergency period.

The petitioner is stated to have joined Indian Navy as Store Assistant on 07.02.1970. He left the Indian Navy service on 08.05.1979. Thereafter, he was recruited as Assistant Sub Inspector on 01.06.1979 in the Haryana Police. He earned promotions to the

next higher cadres and retired on 28.02.2009. Petitioner is stated to have submitted representation regarding counting of military service, grant of ACP and revision of pension vide Annexure P-4 and Annexure P-7. The learned counsel for the petitioner submitted that the respondents have not considered the grievance of the petitioner.

Per contra the learned State counsel pointed out from the written statement filed on behalf of respondents No. 1,2,4 and 5 that in so far as counting military service for the period from 03.02.1971 to 03.07.1977 for the purpose of grant of increments, the same has been rejected vide Annexure R-4 and the same has been communicated to the petitioner. However, learned counsel for the petitioner resisted that Annexure R-4 has not been communicated to him.

In view of the facts and circumstances of the case, the respondent No. 1,2,4 and 5 are directed to once again examine the issue relating to counting of military service (emergency period) from 03.02.1971 to 03.07.1977 for the purpose of grant of increment, so also grant of ACP and revision of pension as claimed in the representation. Such consideration shall be done within a period of **two months** from the date of receipt of copy of this order.

The writ petition is, accordingly, disposed of in above terms.

01.09.2015

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**(P.B BAJANTHRI)
JUDGE**