

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

CWP No. 16668 of 2015
Date of decision: 21.09.2015

Balwinder Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Vikas Chatrath, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The prayer made in the present writ petition is for issuance of a writ in the nature of mandamus directing the respondents to hold that the service rendered by the petitioner in Government Aided School as countable towards qualifying service for pensionary benefits alongwith all consequential benefits. Reliance is placed upon the judgment of this Court in ***CWP No. 14328 of 1991, Sukhdev Singh and others vs. State of Punjab and others, decided on 10.03.2010*** (Annexure P-7).

The case of the petitioner is that he had joined on 11.05.1993 with Shri Ram Arya Higher Secondary School, Patiala and Aided School and worked there till 11.01.1997 and joined the Government Middle School, Sarhali attached with Government High School, Mallu Walia Wala, Tehsil Zira, District Ferozepur on 14.01.1997. Thus, the claim is made for counting of the period he had worked with the aided school for the purposes of qualifying service and pensionary benefits.

Counsel submits that in pursuance of the above said judgment passed by this Court, he has served a legal notice dated 04.02.2015

(Annexure P-8) upon the respondents for the necessary relief. Counsel submits that he would be satisfied at this stage if a direction is issued to the respondents to take a decision on the said legal notice within a time bound frame.

Keeping in view the limited relief sought, this Court does not feel necessary to call upon the respondents to file reply.

Accordingly, this writ petition is disposed of with a direction to respondent no. 2 to take into consideration the legal notice dated 04.02.2015 (Annexure P-8) and decide the same within a period of 3 months from the date of receipt of certified copy of the order. Needless to say that in case the relief is to be denied, the order should contain reasons.

21.09.2015
shivani

(G.S. SANDHAWALIA)
JUDGE