

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

CWP No. 22391 of 2015
Date of decision: 19.10.2015

Roshan Lal and others

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. R.K. Arora, Advocate,
for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The petitioners seek relief of release of pension and retiral benefits for their entire service by counting their previous service rendered in Shaheed Bhagat Singh Municipal College, Kotkapura on pensionable posts followed by their service in Shaheed Bhagat Singh Government College, Kotkapura. The relief claimed is in view of the decision of this Court in CWP No. 19214 of 2009, Darshan Singh vs. State of Punjab and others, decided on 23.08.2011 and upheld in LPA No. 637 of 2012 decided on 06.11.2012 (Annexure P-9).

Counsel submits that a representation dated 09.09.2015 (Annexure P-16) has also been served on respondent no. 2 claiming the benefit of the previous service in view of the college having been taken over on 12.05.1997 by the State Government and thus service rendered by the petitioners prior to the taking over is to be reckoned for the grant of pensionary/retiral benefits. It is also the case of the petitioner that in similar circumstances, a direction has been issued by this Court on 26.11.2012 in CWP No. 23213 of 2012, Baljit Singh Virk and others vs. State of Punjab

and others (Annexure P-13) in the case of seven other employees and the Government has granted the said benefit.

Counsel submits that he would be satisfied at this stage if a direction is issued to the respondent to take a decision on the above said representation within a time bound frame.

In view of the above, 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 representation dated 09.09.2015 (Annexure P-16) and decide the same within a period of 3 months from the date of receipt of certified copy of the order. If the necessary relief is due, the consequential benefits be paid within a period of 2 months thereafter. Needless to say that in case the relief is to be denied, the order should contain reasons.

19.10.2015
shivani

(G.S. SANDHAWALIA)
JUDGE