

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

Civil Writ Petition No. 23435 of 2015(O&M)

Date of Decision: November 3 , 2015.

Chamkaur Singh and another PETITIONER (s)

Versus

State of Punjab and others RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Anoop Singla, Advocate
for the petitioners.

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?

LISA GILL, J.

Prayer in this writ petition is for directing the respondents to release the pensionary benefits by counting the past service rendered by the petitioners in the previous departments.

Learned counsel for the petitioners while referring to decision dated 28.09.1999 in Review Application No.538 of 1999 in CWP No.2483 of 1999 (Pawan Kumar Datta and others v. State of Punjab and others) Annexure P2, submits that on absorption of the petitioners with respondent No.2, though they were to be treated as fresh appointees, their pay was to be protected and past service was to be counted for benefits like pension and for other purposes

but not for seniority. However while determining their pensionary benefits, past service rendered by the petitioners has not been taken into account. Legal notice dated 14.08.2015, Annexure P5 has been served upon the respondents but to no avail. It is prayed that respondents be directed to take a conscious decision on the same in a time bound manner and release the benefits due towards petitioners.

Keeping in view the limited prayer, the facts and circumstances of the case but without expressing any opinion on the merits of the controversy, this writ petition is disposed of with a direction to respondent No.2 to expeditiously decide legal notice dated 14.08.2015 Annexures P5, by passing a speaking order, preferably within a period of four months from the date of receipt of a certified copy of this order. In case, any amount is found due towards the petitioners, same be released within a period of six weeks thereafter.

November 3 , 2015.
'om'

(LISA GILL)
JUDGE