

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

Date of decision: 26.02.2015

CWP No. 3456 of 2015

Gurbachan Lal

----Petitioners

Versus

State of Punjab and others

-----Respondents

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

Present: Mr. A.D.S. Bal, Advocate for the petitioner.

HARINDER SINGH SIDHU, J.

The petitioner joined on 24.01.1970 as Class-IV employee in an aided school and served there till 05.05.1979. Thereafter, he was selected in the Health Department of the State of Punjab and joined on 07.05.1979. He retired on attaining the age of superannuation on 30.11.2006. The petitioner has represented the respondent by way of legal notice dated 08.08.2014 (Annexure P-4) to count the period of his service rendered against the aided post w.e.f. 24.01.1970 to 05.05.1979, for the purpose of pensionary benefits but no decision has been taken thereon.

Learned counsel for the petitioner relies on decision dated 10.03.2010 rendered by this Court in CWP No. 14238 of 1991 to contend that service rendered in an aided school, which is pensionable, is liable to be counted

Learned counsel for the petitioners states that at this stage, he would be satisfied, if a direction is issued to the respondents to decide the legal notice dated 08.08.2014 (Annexure P-4).

In view of the above, without commenting on the merits of the case, this petition is disposed of with a direction to respondent No.2 to consider and decide the legal notice dated 08.08.2014 (Annexure P-4) expeditiously, preferably, within three months from the date of receipt of a certified copy of this order. If the petitioner is found entitled to the benefit as claimed by him, the same be released to him within two months thereafter.

It is made clear that the respondents would be at liberty to restrict the payment of arrears to three years prior to serving of the legal notice i.e. 08.08.2014.

26.02.2015

Atul

(HARINDER SINGH SIDHU)
JUDGE