

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17861-2016 (O&M)
Date of decision: 22.9.2016

Mohan Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.S.K.Sharma Budhladawale, Advocate for the petitioner

- 1. Whether Reporters of Local Newspapers 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?*

Kuldeep Singh, J. (Oral)

Petitioner, who is an ex-army man, joined the civil service with a break of about one year three months and seven days. He filed a civil suit on 14.6.2003, seeking benefit of military service rendered during the period of emergency. The said suit was dismissed by the learned Civil Judge (Senior Division), Ropar on 2.5.2006. Appeal was also dismissed vide judgment dated 11.11.2006. However, learned District Judge, Ropar gave liberty to the department to take up the matter with the Government for necessary condonation, if the department decides that there are such exceptional circumstances.

Thereafter, the petitioner made various representations before the department and as per information obtained under the RTI, the said representations are still pending. Now, the petitioner claims that similar benefits have been extended to one Surjit Singh, PTI vide order dated

29.5.2012 (Annexure P17). The petitioner has also served legal notice on 18.1.2016 (Annexure P20) for condoning the delay of more than one year to claim the military service benefits. The short prayer is that the government should decide the legal notice.

In view of the circumstances, the present writ petition is disposed of at the motion stage with a direction to the respondents to pass a speaking order on the legal notice dated 18.1.2016 (Annexure P20) within a period of one month from the date of receipt of a certified copy of the order without being influenced by the fact that the petitioner had approached this Court.

22.09.2016*gk***(Kuldip Singh)****Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No