

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.22299 of 2016.

Date of Decision: October 26, 2016

Balwinder Singh

.....Petitioner

versus

The State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.R.K.Bajaj, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.

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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?

Surya Kant, J. (Oral)

Notice of motion.

On our asking, Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, accepts notice on behalf of the respondents.

Let four copies of the writ petition be supplied to learned State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from the respondents at this stage.

The petitioner has laid challenge to the notification dated 10.04.2012 whereby the benefits admissible to an ex-serviceman who served in the active military service during 'second emergency' have been

restricted. It is stated that the petitioner is entitled to some of the benefits in the light of a Division Bench judgment of this Court dated 13.11.2014 rendered in CWP No.17661 of 2013 (Rajinder Singh versus State of Punjab and others) and other connected cases (P-6).

The petitioner has raised the above-stated claim vide legal notice dated 11.09.2015 (P-4).

Having heard learned counsel for the petitioner and considering the nature of relief sought, however without expressing any views on merits, we dispose of this writ petition with a direction to the respondents to consider the subject-claim in the light of the above-cited judgment of this Court and if found entitled to, release the due benefits to petitioner within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

October 26, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No