

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 3323 of 2016
Date of decision: 18.02.2016

Karnail Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. D.S. Jaswal, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks the benefit of military service rendered by him during the Second National Emergency from 03.12.1971 to 25.03.1977 for the purposes of calculating his pension and for refixing the pay alongwith arrears and interest. The claim is based upon the Division Bench judgment of this Court in ***CWP No. 17661 of 2013, Rajinder Singh vs. State of Punjab and others*** decided on 13.11.2014 (Annexure P-6).

It is the case of the petitioner that he was enrolled in the Army on 24.06.1971 and was discharged on 01.01.1989 (Annexure P-1). Thereafter, he joined as a Constable in the Punjab Police Department on 28.12.1992 and retired as Head Constable on 28.02.2011. Resultantly, the claim for pension is made on the strength of the Punjab Recruitment of Ex-Servicemen Rules, 1982, as amended in 2009.

Counsel submits that legal notice dated 12.10.2015 (Annexure P-5) has already been served upon the respondents and he would be satisfied if the same is decided within a time bound frame.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the writ petition has been supplied to him in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need for the respondents to file reply.

Accordingly, without commenting on the merits of the case the writ petition is disposed of with a direction to respondent no. 4 to take a decision on the legal notice dated 12.10.2015 (Annexure P-5) within a period of 3 months from the date of receipt of certified copy of the order. Needless to say if the relief is to be denied, a reasoned order be passed and conveyed to the petitioner.

18.02.2016
shivani

(G.S. SANDHAWALIA)
JUDGE