

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

**CWP No.4559 of 2016
Decided on : 07.04.2016**

Tarlok Singh, Retd. P.T. Teacher

... Petitioner

Versus

State of Punjab and others

... Respondents

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

Present: Mr. Daljit Singh, Advocate for
Mr. Vivek S. Dadwal, Advocate for the petitioner.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks the benefit of the military service rendered by him during the 2nd National Emergency for the purpose of pension, as per the notification Annexures P-2 to P-4 and in view of the order of the Division Bench passed 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 08.04.1970 and had participated in the 2nd National Emergency which was enforced from 03.12.1971 to 25.03.1977. He has superannuated on 30.01.1995 (Annexure P-1) and, thereafter, joined the Education Department as P.T. Teacher on 10.12.2001 and retired on 31.01.2011. Resultantly, relief is claimed on the strength of Punjab Recruitment of Ex-Servicemen Rules, 1982 as amended.

It has further been averred that he has already served a legal notice dated 09.05.2012 (Annexure P-5), which has been not acted upon and a reminder was also been sent on 30.07.2012.

Resultantly, counsel submits that he would be satisfied if a time-bound decision is taken by the respondents on the said issue.

Notice of motion.

On the asking of the Court, Mr. APS Mann, Addl. AG, Punjab, accepts notice on behalf of the respondents. Adequate number of copies have been supplied to him.

Keeping in view the limited relief sought, this Court does not feel it necessary for seeking reply from the State.

Without commenting on the merits of the case or the entitlement of the petitioner, the present writ petition is disposed of with a direction to the respondent No.2 to take a decision on the said legal notice and reminder within a period of 3 months from the receipt of the certified copy of this order. In case the petitioner is held entitled for the said benefit, the necessary action be taken by the said respondent within one month, thereafter. In case, the relief is to be denied then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

With the aforesaid observations, the present writ petition stands disposed of.

APRIL 07, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE