

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

CWP No. 8616 of 2016
Date of decision: 05.05.2016

Tarlok Singh

....Petitioner(s)

Versus

State of Punjab and others

....Respondent(s)

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

Present: Mr. R.K. Arora, Advocate,
for the petitioner.

G.S.Sandhawalia, J. (Oral)

The petitioner seeks the benefit of the previous service rendered by him under respondent no. 6 (wrongly mentioned as respondent no. 5) towards his qualifying service for grant of pensionary benefits. Reliance has been placed upon the judgments passed in CWP No. 2574 of 2007, Gurdial Singh vs. State of Punjab and others decided on 08.07.2010 (Annexure P-3), CWP No. 5076 of 2004, Om Parkash and others vs. State of Punjab and others decided on 18.11.2010, CWP No. 16644 of 2008, Darshan Singh and others vs. State of Punjab decided on 21.02.2011 (Annexure P-4), CWP No.11070 of 2006 decided on 13.09.2011 (Annexure P-5) and recent judgment in CWP No. 14433 of 2011, Gurmail Singh vs. State of Punjab and others decided on 27.05.2015 (Annexure P-6). Prayer for release of all revised pension and other retirement benefits by counting his previous service rendered under

respondent no. 6 with all consequential benefits together with interest @ 12% per annum has accordingly been made.

It is the pleaded case of the petitioner that he had joined the respondent no. 6-Board on 07.10.1977 and his services were regularized on 11.12.1990 and on 18.11.1992, he was ordered to be transferred to respondent no. 5-Municipal Council, Jalalabad where, he joined on 01.12.1992 and retired on 31.01.2011. The service rendered for the above said period with the Board has not been taken into consideration and has been deducted by respondent no. 4-The Regional Deputy Director, Local Fund (Audit Department), Punjab even though it had been proposed by respondent no. 5. Reference is made to Annexure P-1 in this context.

Counsel submits that representation dated 29.02.2016 (Annexure P-9) has been addressed to respondent no. 5 with copy to respondent no. 2 also. He further submits that he would be satisfied if a decision is taken on the said representation 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.

Keeping in view the limited controversy, this Court is of the opinion that the reply need not be called for.

Accordingly, 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 respondent no. 2 to look into the demand raised as per representation dated 29.02.2016 (Annexure P-9). The same be decided within a period of 3 months from the date of receipt of

certified copy of the order. Needless to say if an adverse order is to be passed, the same shall contain reasons and be conveyed to the petitioner.

05.05.2016

shivani

(G.S. SANDHAWALIA)
JUDGE