

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9118 of 2016
Decided on : 11.05.2016

Sukhcharanjit Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present : Mr.V.S.Dadwal, Advocate, for the petitioner.

G.S. Sandhawalia , J. (Oral)

Petitioner seeks the benefit of Military service rendered by him during the 2nd National Emergency, for the purposes of pension, as per the notification dated 02.02.1982 (Annexure P2), 15.10.2009 (Annexure P3), 10.04.2009 (Anneuxre P4) and in view of the judgment of the Division Bench in CWP-17661-2013 titled *Rajinder Singh Vs. State of Punjab & others*, decided on 13.11.2014 (Annexure P6).

It is the case of the petitioner that he was enrolled in Army on 02.08.1974, during the 2nd National Emergency and retired on 30.06.1990 (Annexure P1). Thereafter, he joined in the Education Department as Physical Education Teacher on 10.12.2001 and retired on 31.05.2011.

Counsel for the petitioner submits that qua the above-said claim, legal notice dated 18.01.2016 (Annexure P5) has been served upon the respondents and the petitioner would be satisfied if his claim is decided, within a fixed time frame.

Notice of motion.

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

Keeping in view the limited relief sought, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioner, the present writ petition is disposed of, with a direction to respondent No.2, to decide the said claim, within a period of 3 months from the date of receipt of the certified copy of this order and ensure that the dues are paid to the petitioners. In case the benefit is to be denied, a speaking order be passed and the same be conveyed to the petitioner.

MAY 11, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE