

CWP No.5526 of 2012

Manoj Kumar
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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CWP No.5526 of 2012
Date of Order: 26.4.2017**

Baldev Singh

....Petitioner

Versus

State of Punjab and Anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. ADS Bal, Advocate for the petitioner.

Mr. Harkesh Manuja, Addl.AG, Punjab.

JASWANT SINGH, J (ORAL)

The petitioner, who was selected by way of direct recruitment as S.S. Master in the Education Department, Punjab, joined his services on 10.8.1994. He is stated to have retired, on attaining the age of superannuation w.e.f 31.12.2009.

By filing the present petition, he is claiming the benefit of his previous service rendered w.e.f 08.2.1988 to 30.6.1991 i.e three years, four months and 15 days as Supervisor under the Adult Education Scheme to count as qualifying service for determining his pension.

The writ petition was ordered to be "Admitted" vide order dated 20.12.2013.

Subsequently, an application bearing CM No.2244 of 2017 was instituted, praying for allowing the petition, in terms of decision dated 31.1.2011 rendered in CWP No.7478 of 2009 (Annexure-A) passed by a Coordinate Bench.

Upon notice of the application, an affidavit dated 11.4.2017 of Satwinder Singh, DEO, Gurdaspur has been filed apart from placing a fresh order dated 06.4.2017 (R.1) whereby it has been accepted in principle that after verifying the actual period of previous service rendered in the Adult Education Scheme for which he has been paid regular pay scale, the same shall be counted towards qualifying service for pension and thereafter revised pension would be released. It is stated that the entire exercise would be completed within three months.

In view of the aforesaid stand of the respondent-State, nothing more survives for adjudication in the present case and therefore the present petition is dismissed as having become infructuous. However, the petitioner is at liberty to seek revival of the present petition, if the need arises.

April 26, 2017
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No