

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

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CWP No.20118 of 2017 (O&M)

Date of Decision: September 06, 2017

Amrik Singh

....Petitioner

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Bhavnik Mehta, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA, J. (Oral)

Pleadings on record indicate that petitioner joined service under the Punjab Police Department on 15.07.1995 as a Special Police Officer (SPO). Services of the petitioner were regularized and petitioner was absorbed as Constable on 09.01.2009. Prior to joining service under the Police Department, petitioner had served in the Defence Forces for 14 years 5 months approximately i.e. from 14.08.1979 to 01.01.1994.

The claim raised in the instant petition is for service rendered in the Defence Forces to count for grant of admissible pensionary and retiral benefits.

It is the contention raised by counsel that the break between Military Service and Civil Service, of 1 year and 5 months approximately, would not disentitle the petitioner for reckoning of

service rendered with the Defence Forces for grant of pensionary benefits. In this regard, counsel submits that identical issue has already been considered in the light of Rule 4.3 of the Punjab Civil Services Rules, Volume II, Part I, Chapter IV in **CWP No.12810 of 2003 decided on 08.11.2013 (Bhajan Singh vs. Union of India and others)** reported as **2014 (2) SCT 297.**

Against the backdrop of the averments made in the petition and the submissions advanced by the counsel and without expressing any opinion on the merits of the claim, I deem it appropriate to dispose of the writ petition with the direction to respondents No.2 & 3 to examine the claim of the petitioner and to take a final decision on the legal notice dated 07.07.2017 (Annexure P-7) i.e. stated to have already been served. A final decision on the legal notice be taken within a period of four months from today.

The directions to decide the legal notice, have been issued on account of a submission made by counsel that the petitioner is due to retire in a period of one year.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

06.09.2017
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Whether speaking/reasoned : **Yes/No**
Whether reportable : **Yes/No**