

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 24463 OF 2016
DECIDED ON: OCTOBER 26, 2017

JASVIR KAUR

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Rattan, Advocate
for the petitioner.

Ms. Devaki Anand Sullar, AAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to count adhoc period of service w.e.f. 28.05.1976 to 01.06.1977 rendered under respondent No.3, which becomes around 1 yrs. 3 days approx., condoning breaks along with service rendered by the petitioner w.e.f. 21.07.1978 to 31.03.2011 under respondents No. 1 and 2, which becomes around 30 years 6 months and 16 days approx., condoning the interruption, if any, for pension and other pensionary benefits and to grant pension and other pensionary benefits.

2. At the very outset of the arguments, learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to

respondent(s) to decide legal notice dated 12.10.2016 (Annexure P-4), within a stipulated period.

3. Instant petition is disposed of with a direction to the respondent(s) to look into the grievances unfolded by the petitioner in her legal notice dated 12.10.2016 (Annexure P-4) and to deal with and dispose of the same, strictly in accordance with Service Rules as well as in the light of observations made by this Court in *“Kesar Chand v. State of Punjab and others”, AIR 1988, P&H, 265, Hazura Singh v. State of Punjab, 2004 (1) SCT 695, Chhalinder Singh v. State of Punjab, 2005(3) SCT 528* and *“Harjit Singh and another vs. State of Punjab”, 2003 (4) SCT 691*, within a period of three months from the date of receipt of certified copy of this order. In case, the concerned authority comes to the conclusion that petitioner is entitled to the benefit claimed, to release the same within a period of next 45 days.

5. However, if the petitioner still feels aggrieved against the order passed by the concerned authority, she shall be at liberty to approach this Court.

OCTOBER 26, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*