

CWP-21060-2017

Date of Decision : 15.09.2017

Balwant Singh Jagdev

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH**Present:** Mr. Puneet Gupta, Advocate
for the petitioner.**JASPAL SINGH, JUDGE (ORAL)**

The instant writ petition under Article 226/227 of the Constitution of India has been preferred by the petitioner for issuance of a writ in the nature of *mandamus* directing the respondents to count the earlier service rendered by the petitioner in Municipal Shivalik College, Naya Nangal prior to takeover of the said College by the Department of Education, Punjab on May 12, 1997 for the purpose of pensionary and retiral dues and for grant of interest at the rate of 18 per cent per annum thereon till the date of actual realization.

Learned counsel for the petitioner contends that the petitioner feels satisfied in case a representation dated June 15, 2017 (Annexure P-14) is dealt with and disposed of by passing a speaking order in accordance with law, service rules as well as in the light of judgment dated August 23, 2011 (Annexure P-5) passed in CWP No.19214 of 2009 titled ***Darshan Singh versus State of Punjab and others*** which has attained finality and in view of the fact that benefit of the similarly situated employees/retirees has already been granted.

Without expressing anything on merits and various averments made in the legal notice, the instant petition is disposed of with a direction

to the respondents to look into the grievances unfolded by the petitioner in representation (Annexure P-14) and take a conscious decision in accordance with law as well as service rules within a period of three months from the date of receipt of a certified copy of this order by passing a speaking order.

In case, respondents come to the conclusion that petitioner is entitled to service benefits claimed through legal notice as well as interest, in terms of judgments rendered by this Court in *A.S. Randhawa versus State of Punjab and others* 1997 (3) SCT 468 and judgment dated August 23, 2017 passed in CWP No.19179 of 2016 titled *Professor Charanjit Singh Dhillon versus State of Punjab and others*, payment thereof, be made to the petitioner within a period of 45 days thereafter.

If the petitioner still feels aggrieved, he shall be at liberty to approach this Court.

(JASPAL SINGH)
JUDGE

15.09.2017

Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No