

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.25633 of 2016.

Date of Decision: May 11, 2017

Amrik Singh

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.I.D.Singla, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The principal relief sought in the instant writ petition is a direction to count the service rendered by the petitioner during Second National Emergency towards pension. Such a claim has already been granted by a Coordinate Bench vide judgment dated 13.11.2014 rendered in a bunch of writ petitions including CWP No.17661 of 2013 (Rajinder Singh versus State of Punjab and others). In the cited decision, the Division Bench held as follows:-

“... However, so far as the pension is concerned, as there is no stipulation in the 2009 Rules that the benefit of military service during the Second National Emergency towards pension would be given only to those incumbents who joined the military service during the Second National Emergency period, all the petitioners would be entitled to the grant of military service benefit towards pension.

Accordingly, the writ petitions are partly allowed to the extent that the petitioners are held entitled to the grant of benefit of military service rendered by them during the Second National Emergency towards pension. However, they are held not entitled to the grant of any benefit of their military service rendered during the Second National

Emergency towards increments.....”

Since the petitioner has rushed to this Court without approaching the Competent Authority, we dispose of this writ petition with a direction to the respondents to treat this writ petition as a representation on his behalf and decide his claim in the light of the above-cited judgment, by way of a reasoned order within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

May 11, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No