

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

Sr. No.115

Civil Writ Petition No. 24050 of 2017
DECIDED ON: October 25, 2017

RAMESH KUMAR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.K. Arora, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to count the previous service rendered by the petitioner in the Shaheed Bhagat Singh Municipal College, Kotkapura on pensionable post, followed by his service in Government College, towards pensionary benefits in terms of law laid down by this Court in CWP No.19214 of 2009 decided on 23.08.2011 (P-6) upheld in LPA No.637 of 2012 decided on 06.11.2012 (P-7) and also to grant the same benefit to the petitioner as granted the petitioner in the above petition and also granted to other similarly situated employees of this college in CWP No.23213 of 2012 decided on 26.11.2012 (P-11) along with all consequential benefits.

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2. Learned counsel for the petitioner submits that though representation dated July 20, 2017 (P-15) was moved to the respondent No.2 but till date, no action has been taken. He further submits that petitioner feels satisfied in case direction is given to respondent No.2 to decide the aforesaid representation, within a stipulated period.

3. Instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in his representation dated July 20, 2017 (Annexure P-15) and take a conscious decision by passing a speaking order strictly in view of the judgment passed by this Court in CWP No.19214 of 2009 captioned as ***Darshan Singh vs. The State of Punjab and others*** decided on August 23, 2011 which has attained finality, within a period of three months from the date of receipt of a certified copy of this order. In case, respondent No.2 comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next one month.

4. However, in case, petitioner still feels aggrieved of the order passed by concerned authority, he shall be at liberty to approach this Court.

October 25, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**