

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

246

CWP No.7918 of 2017 (O&M)

Date of decision: 17.11.2017

Prem Kumar Sachdeva

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Himanshu Raj, Advocate
for the petitioner.

Mr. Hitesh Pandit, Addl. AG, Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the petitioner submits that the benefit that the petitioner is seeking, of counting his past service in the Haryana State Minor Irrigation & Tubewell Corporation Ltd. (HSMITC), towards qualifying service for pension after he joined the Haryana State Agricultural Marketing Board, has already been granted to similarly placed employees who had filed CWP No.3792 of 2012, decided on 14.01.2016, along with another petition. (A copy of that judgment and order has been annexed as Annexure P-10 with the present petition).

LPA Nos.1805 and 1806 of 2016 filed by the respondent-Haryana State Agricultural Marketing Board, against the aforesaid judgment of a coordinate Bench, are also shown to have been dismissed, vide an order of a Division Bench dated 05.10.2016, produced in Court today.

Though none is representing the respondent-Haryana State Agricultural Marketing Board and only learned State counsel is appearing for respondent No.1, the contention of learned counsel for the petitioner does not seem to be unfounded and consequently, this petition is allowed in the same terms as CWP No.3792 of 2012 and CWP No.11987 of 2015 and LPA Nos.1805 and 1806 of 2016, aforesaid.

However, the petitioner having been approached this Court only in the year 2017, any arrears to be paid to him would be restricted to a period of 3 years and 2 months prior to the date of filing of this petition.

The benefit be granted to the petitioner within a period of 3 months from the date of receipt of a certified copy of this order. Since the Board is not represented before this Court, if the petitioners' case is not found by the Board to be similar to the case of the petitioners in the aforesaid two writ petitions, it would be at liberty to file an application for review of this order, of course on valid grounds.

17.11.2017
Dinesh Bansal

(AMOL RATTAN SINGH)
JUDGE

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