

**CWP No. 13639 of 2018
DECIDED ON: MAY 28, 2018**

SMT RAJO DEVI

....PETITIONER

VERSUS

STATE OF HARYANA AND ORS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Parkash Chahar, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226 and 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 temporary service period/part time service w.e.f. 01.12.1983 to 06.03.2012 followed by regular service as total service for the purpose of grant of retiral benefits along-with all other consequential and attended benefits including grant of pension to her (petitioner) and also to pay her the arrears of pension and gratuity with interest from the date of her retirement i.e. 28.02.2014.

2. The contention of learned counsel for the petitioner is that petitioner joined the respondent-department on part time basis on the post of Water Carrier on 01.12.1983. Thereafter, her services were regularized by respondent

No.4 vide order dated 07.03.2012 on the same post as Water Carrier. She

retired on attaining the age of superannuation on 28.02.2014. Petitioner constrained to serve legal notice dated 05.06.2017 (P-3) with regard to the counting of her temporary/past service but despite the fact that a period of more than 11 months has expired till date neither any reply to the afore-said notice has been received nor any conscious decision has been taken. At this juncture, learned counsel for the petitioner submits that petitioner feels satisfied in case a direction is issued to respondents to consider and decide the afore-said legal notice (P-3) within a time bound manner.

3. Without expressing any opinion on merits but after considering the afore-said aspects, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in her legal notice dated 05.06.2017 (P-3) and to take a conscious decision in accordance with law, rules and regulations within a period of three months from the date of receipt of certified copy of this order.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, she shall be at liberty to have recourse to other remedies available under law including to approach this Court

MAY 28, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>