

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.121

Civil Writ Petition No.20657 of 2018
DECIDED ON: August 18, 2018

SANTOSH W/O SUMER SINGH

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr.Ram Niwas, Advocate, for
Mr. R.S. Sangwan, Advocate for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to recount and grant the service pension/family pension, gratuity and other retiral benefits counting daily wages/work charge service w.e.f. 01.01.1993 to 30.09.2003 followed by regularization in view of instructions dated 07.02.2014 (Annexure P-4) and High Court order dated 26.05.2009 (Annexure P-6), alongwith all consequential benefits and interest at the rate of 12% per annum from the date of accrual till the next date of realization.

2. Learned counsel appearing for the petitioner contends that though a legal notice was made to the respondents on May 01, 2018 (Annexure P-5), but till date neither any reply to the said legal notice has been received nor any final order has been passed by the concerned Department.

3. Learned counsel appearing for the petitioner further submits that he feels satisfied in case a direction is issued to the respondents to decide his legal notice dated May 01, 2018 (Annexure P-5) within some specified period.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to the respondents to look into the grievances unfolded by the petitioner in his legal notice dated May 01, 2018 (Annexure P-5) and to take a conscious decision by passing a speaking order as per rules and instructions issued by the Government from time to time within a period of three months from the date of receipt of a certified copy of this order.

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.

18.08.2018

Anjal

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No