

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.114-d

Civil Writ Petition No.20906 of 2018
DECIDED ON: August 21, 2018

KULTAR SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rahul Jaswal, 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 issuance of a writ especially in the nature of Mandamus directing the respondents to grant the benefit of Military service rendered by him during the 2nd National Emergency towards pension in view of the judgment of Hon'ble Division Bench of this Court rendered in CWP No. 17661 of 2013, titled ***Rajinder Singh vs. State of Punjab and others***; decided on 13.11.2014 (P-4) and to grant all consequential benefits arising therefrom such as arrears of pension etc.

2. The contention of learned counsel is that petitioner moved a legal notice dated 23.11.2016 and followed by representation dated 17.05.2018 (P-5 colly) to respondents but till date no conscious decision has been taken thereon. He further submits that petitioner feels satisfied in case a direction is issued to respondents to decide the afore-said legal notice/representation (P-5 colly) in a time bound manner.

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3. Accordingly, without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice dated 23.11.2016 and followed by representation dated 17.05.2018 (P-5 colly) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice/representation as well as in view of judgment mentioned in para 1 of this order, within a period of three months from the date of receipt of a certified copy of this order.

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

August 21, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No