

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.2097 OF 2018
DECIDED ON: FEBRUARY 01, 2018

GURMUKH SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ajay Pal Singh, Advocate,
for the petitioner.

JASPAL SINGH, J

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus, directing the respondents to grant the benefits of military service rendered by him during the second national emergency towards his pension in the light of findings recorded in CWP No. 17661 of 2013, titled as “*Rajinder Singh v. State of Punjab and others*”, which as per the version of learned counsel for the petitioner, has attained finality.

2. The petitioner approached the respondent by way of legal notice dated 13.09.2017 (Annexure P-8). Perusal of letter dated 31.10.2017 (Annexure P-9) depicts that legal notice was sent to Director General of Police, Chandigarh for further necessary action, which has since been returned by the Under Secretary, Defence Welfare Service Department vide letter dated 03.10.2017 (Annexure P-11). The matter is being shuffled to one or the other

office particularly by respondents No. 1 and 2 and no conscious decision is being taken by respondents No. 1 and 2 on the legal notice dated 13.09.2017 (Annexure P-8).

In such circumstances, this Court is of the considered view that it would be just and appropriate to direct the respondents to look into the grievances unfolded by the petitioner in his legal notice (Annexure P-8) for the redressal of his grievances, within a period of 4 months from the date of receipt of certified copy of this order. In case, the concerned authorities are of the view that petitioner is not entitled to the relief claimed through aforesaid legal notice, to pass a speaking order giving finding of each and every aspect/contention taken in the legal notice. In the event, the relief claimed by the petitioner is declined, the petitioner shall be at liberty to approach this Court as well as to have recourse to the other remedies available under law.

FEBRUARY 01, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***
Whether reportable ***Yes/No***