

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.142

Civil Writ Petition No.25080 of 2018
DECIDED ON: September 28, 2018

JAI BHAGWAN

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ram Niwas Sharma, 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 an issuance of a writ in the nature of Mandamus directing the respondents to release his pension and pensionary benefits after regularizing of his services w.e.f. 27.01.1999/01.02.1999 with all consequential benefits as the services of juniors to him have been regularized w.e.f. 27.01.1999 vide order dated 02.08.2017 (P-11) and order dated 08.02.2018 (P-14) and not to discriminate the petitioner as the services of juniors to him have been regularized under the policy (P-2) vide order dated 02.08.2017 (P-11) and order dated 08.02.2018 (P-14) by allowing them ante dated regularization and have been allowed pension and pensionary benefits under old pension scheme i.e. Punjab Civil Services Rules, Vol-II.

Civil Writ Petition No.25080 of 2018

2. Learned counsel for the petitioner contends that though legal notice was made to the respondents on 30.05.2018 (P-12) but till date neither any reply to the said notice has been received nor any final order has been passed by the respondents. He further submits that he feels satisfied in case a direction is issued to respondents No.2 & 3 to decide the above said notice (P-12), in a time bound manner.

3. Instant petition is disposed of with a direction to respondents No.2 & 3 to look into the grievances unfolded by the petitioner in the legal notice dated 30.05.2018 (P-12) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice (P-12), within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next 45 days.

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 the other remedies available under law as well as to approach this Court.

September 28, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**