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

CWP-3423-2018

Date of decision-15.02.2018

Dharvinder Paul Sehgal and others

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. R.N.Sharma, Advocate for the petitioners.

JITENDRA CHAUHAN, J. (Oral)

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus for directing respondents to count the past services rendered by the petitioners in Boards/Corporations towards pension and pensionary benefits and allow them to continue as a member of General Provident Fund under the Old Pension Scheme available as per Punjab Civil Service Rules Vol.II.

Contends that case of the petitioners has been wrongly rejected vide reply dated 20.12.2017 (Annexure P-15) without considering the policy /letters dated 05.11.1986 and 17.08.2010 (Annexures P-6 and P-7). Learned counsel for the petitioners states that at this stage he would be satisfied, if a direction is issued to respondent No.1- Principal Secretary to Government of Punjab, Finance Department, Punjab Civil Secretariat, Chandigarh to consider and decide the legal notice dated 02.12.2017 (Annexure 14).

Heard.

At this stage, this Court is not inclined to issue notice of motion. However, Annexure P-15 does not meet the requirement of the speaking order. Therefore, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.1- Principal Secretary to Government of Punjab, Finance Department, Punjab Civil Secretariat, Chandigarh to look into the grievance of the petitioners stated in legal notice (Annexure P-14) in view of policy (Annexure P-7) within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that case of the petitioners is covered by Annexures P-6 and P-7 in such an eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a detailed speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

15.02.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No