

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 37637 of 2018
Date of Decision : 20.12.2018

Mohinder Lal

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Suraj Mal Bhatia, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present case, the claim of the petitioner is to count service rendered by him in Panjab University, Chandigarh as a Clerk from 23.09.1980 till 31.07.1989 as qualifying service for computing retiral benefits.

The petitioner was appointed as a Social Study Master in the Education Department of the State of Panjab on 03.08.1989. Prior to the said appointment, the petitioner was working as a Clerk in Panjab University, Chandigarh from 23.09.1980 till 31.07.1989. Petitioner kept on serving the Education Department of the State of Panjab and ultimately retired from the post of Lecturer on 30.06.2012.

As per the averments made in the present writ petition, the petitioner has been granted the retiral benefits by taking into account his service rendered from 03.08.1989 till 30.06.2012 and despite the fact that the service rendered by the petitioner with the Panjab University, Chandigarh, should have been counted, the same has not been done.

Learned counsel for the petitioner states that the matter is still under consideration with the respondents keeping in view the legal notice which the petitioner had sent on 25.10.2013 (Annexure P-4). Counsel further states that even after expiry of a period of four years, only the correspondence is going on between one department to the other without finalizing the claim of the petitioner. Learned counsel states that the petitioner will be satisfied in case respondents are directed to take a final decision on the prayer made by the petitioner for counting his service as a Clerk in Panjab University, Chandigarh from 23.09.1980 till 31.07.1989 by passing an appropriate speaking order.

In view of the request made by learned counsel for the petitioner, the present writ petition is disposed of with a direction to respondent No. 2 to pass an appropriate order on the request made by the petitioner for counting his service rendered in Panjab University from 23.09.1980 till 31.07.1989 by taking it as a qualifying service for computing the retiral benefits within a period of three months from the date of receipt of a certified copy of this order.

The writ petition stands disposed of.

December 20, 2018
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(HARSIMRAN SINGH SETHI)
JUDGE

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