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

CWP-513-2019

Date of Decision: 11.01.2019

Rajesh Dahiya

... Petitioner

vs.

Union of India and Others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Navdeep Singh, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J

In the present writ petition, the challenge is to the order dated 05.11.2018 (Annexure P13) by which, the claim of the petitioner has been rejected on the ground that the order dated 10.12.2010, according to which no minimum qualifying service is required for earning the service element, has been made effective w.e.f. 01.01.2006 only and as the case of the petitioner falls on a date which is prior to 01.01.2006, the claim has been denied. By the said letter, it has been mentioned that in case any clarification is issued by the Department of Pension and Pensioner's Welfare, Government of India, the appropriate action will be taken.

Counsel for the petitioner contends that a detailed legal notice/representation dated 09.09.2018 (Annexure P12) has been served by the petitioner upon the Department of Pension and Pensioner's Welfare for passing appropriate orders/issuing the appropriate clarification but no decision has been taken on the said legal notice/representation so far.

Counsel for the petitioner further states that the petitioner will be satisfied, at this stage, if a time bound direction is issued to the

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respondent(s)/Department for deciding the said legal notice within a given time frame.

Notice of motion.

Mr. Parvesh Kumar Saini, Advocate, accepts notice on behalf of Union of India.

Counsel appearing for Union of India has no objection to the relief sought by the petitioner for the disposal of the legal notice/representation dated 09.09.2018 (Annexure P12) in a time bound manner.

At this stage, the present writ petition is disposed of with a direction to respondents No. 1 and 2 to decide the legal notice/representation dated 09.09.2018 (Annexure P12) within a period of three months from the receipt of certified copy of this order.

11.01.2019
smriti

(HARSIMRAN SINGH SETHI)
JUDGE

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