

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

(119)

CWP-401-2019

Date of Decision: January 11, 2019

Saroj Vashistha

..Petitioner

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ranjit Saini, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that in case of similarly situated employees, this Court while deciding CWP No.1982 of 2015 on 13.07.2016 titled as Nand Kishore Bansal and others Vs. State of Haryana and others (Annexure P-8), has held that the employees who have retired prior to the year 2010, are also entitled for the grant of full pension after rendering 28 years of service.

Learned counsel for the petitioner states that the said judgment has already attained finality and the relief has also been granted to the similarly situated persons.

Learned counsel for the petitioner further states that the relief has not been granted to the petitioner only on the ground that there is no order of competent Court of law directing the respondents to grant the petitioner the same relief as given to the similarly situated employees in whose favour this Court had passed the order as mentioned earlier.

Learned counsel for the petitioner further states that for the relief which has been claimed in the present writ petition, the petitioner has

served the respondents with a legal notice dated 25.10.2018 (Annexure P-4) and the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the legal notice dated 25.10.2018 (Annexure P-4) by passing a speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 25.10.2018 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 25.10.2018 (Annexure P-4) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

January 11, 2019
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No