

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 1846 of 2019

Date of Decision : 23.01.2019

Jharmal Singh

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. L.S. Lakhanpal, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

Learned counsel for the petitioner relies upon the order passed by this Court in CWP No. 9251 of 2002, decided on 15.09.2005 to contend that the service which the petitioner rendered in SPINFED should be counted as a qualifying service to compute the pensionary benefits.

Learned counsel for the petitioner states that after the petitioner retired as a Senior Assistant from the office of the Sub Divisional Magistrate, Balachaur, District SBS Nagar (Nawanshahar), the respondents without giving effect to the settled principle of law mentioned above, fixed his pensionary benefits without calculating the said period. Learned counsel further states that in respect of the relief prayed for in the present writ petition, the petitioner has served upon the respondents a legal notice dated 15.03.2018 (Annexure P-8). Learned counsel states that the said legal notice is still pending consideration with the respondents which is clear from letter dated 16.04.2018 (Annexure P-9).

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass appropriate speaking order on the claim raised by the petitioner in the legal notice dated 15.03.2018 (Annexure P-8) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

January 23, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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