

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 2284 of 2019

Date of Decision : 28.01.2019

Ex. Const. Jaswant Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None.

Harsimran Singh Sethi, J.(Oral)

The present writ petition has been filed by the petitioner claiming that the Army service rendered by him for a period of 9 years, 4 months and 10 days should be taken as a qualifying service while fixing his pensionary benefits.

As per the averments made in the present writ petition, the petitioner joined Indian Army as Sepoy on 18.12.1973 and he continued working as such till 27.04.1983, after which he was discharged from Indian Army. Thereafter the petitioner got recruited as a Constable in CISF on 20.06.1986 and retired in August, 2000. The claim being made by the petitioner is that the service rendered by him in the Army should also be taken into account while computing his pensionary benefits.

For the relief, which has been claimed in the present writ

petition, the petitioner has served upon the respondents a legal notice dated 06.09.2018 (Annexure P-1) and as per the averments made in the writ petition, the said legal notice is still pending consideration with the respondents.

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 an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 06.09.2018 (Annexure P-1) 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 28, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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