

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

133

CWP No.4438 of 2019

Date of decision: 20.02.2019

K.B. Setia

..Petitioner

Vs.

State of Haryana and Anr.

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which has been raised by the petitioner, the petitioner was not given the benefit of the instructions dated 12.10.2010 for the grant of full pension of completion of 28 years of service on the ground that as per the said notification, only the employee who retired after 12.10.2010 were entitled for the said benefit.

Counsel states that the said condition has already been held to be arbitrary and set aside by this Court while deciding CWP No.1982 of 2015 decided on 13.07.2016 and therefore, the petitioner is entitled for the benefit of full pension after 28 years of service.

Counsel for the petitioner states that for the relief which has been prayed in the present writ petition, the petitioner has served upon the respondent, a legal notice dated 09.01.2019, which is still pending consideration and has not been decided.

Counsel states that the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to

decide the same by passing a speaking order.

Without going into the merits of the case or expressing any opinion qua the entitlement of the petitioner in respect of the claim prayed for in the present writ petition or in the representation, 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 (Annexure P-4) dated 09.01.2019 within a period of three months from the date of receipt of certified copy of this order.

February 20, 2019

Poonam Sharma

**(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No