IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 6273 of 2019
Date of Decision : 30.05.2019

Sewa Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Mr. J.K. Goel, Advocate for the petitioner.

Ms. Safia Gupta, A.A.G., Haryana.

***

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance of the petitioner is for counting of the ad-hoc service as a qualifying service for the grant of pensionary benefits.

On the last date of hearing, learned counsel for the respondents had stated that case of the petitioner was under active consideration for the grant of benefit and has already been sent to Accountant General, Haryana for approval.

Today an affidavit has been filed on behalf of the respondents-State stating that benefit of ad-hoc service as a qualifying service has already been extended to the petitioner and even his pensionary benefits have been revised and copy of the orders to that effect have been appended alongwith the reply. The contents of the affidavit are as under:-

"1. That the aforementioned writ petition came up for

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hearing before this Hon'ble Court on 29.04.2019 wherein it was submitted by the counsel for the respondent that the benefits which the petitioner is entitled for after taking into account ad-hoc service as a qualifying service, will be released to the petitioner within a period of next four weeks. The Hon'ble Court granted four weeks time to file an affidavit in respect of the release of the benefits to the petitioner and the case was adjourned to 30.05.2019. The order dated 29.04.2019 is reproduced as under:-

> *"Counsel for the respondents states that the benefit which the petitioner is entitled for after taken into account adhoc service as a qualifying service, will be released to the petitioner within a period of next four weeks as his case have already sent to the Accountant General, Haryana on 10.04.2019 for the grant of approval for the revised pensionary benefits.*
>
> *Counsel for the respondents submits that the benefit of revised leave encashment has already been paid to the petitioner.*
>
> *Counsel for the respondents prays that she be granted four weeks time to file an affidavit in respect of the release of the benefits to the petitioner.*
>
> *Adjourned to 30.05.2019."*

2. *That in compliance to the above, it is submitted that the retiral benefits like revised pension @ of Rs. 19,900/- PM has been fixed and payment on account of death-cum-retirement gratuity of Rs. 3,25,365/-, leave encashment amounting to Rs. 2,74,752/-, Rs. 1,292/- on account of GIS and Rs. 1,99,899/- on account of commuted pension has been released to the petitioner after taking into account the period of adhoc service as*

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qualifying service. Copies of the same are annexed herewith as Annexure R-1. This is in addition to the benefits already released to the petitioner without taking the adhoc service as qualifying service. It is also to mention that now only matter regarding grant of ACP is under process and is likely to be finalized and consequential arrears will be released to the petitioner within the period of 14 days.

In view of the submissions made above, the present Civil Writ Petition may kindly be dismissed."

Keeping in view the above, learned counsel for the petitioner states that the grievance of the petitioner stands redressed and he does not press the writ petition any further. He further says that as the benefits have been released to the petitioner after a delay, he be given liberty to approach the respondents for the grant of interest by filing appropriate representation.

Writ petition is disposed of as not being pressed.

However, liberty is granted to the petitioner to approach the respondents for the grant of interest by filing appropriate representation.

May 30, 2019 **(HARSIMRAN SINGH SETHI)**
kanchan **JUDGE**

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

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