

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

(156)

CWP-7509-2019

Date of Decision: March 18, 2019

Balwant Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Arora, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that the service rendered by the petitioner from 15.06.1963 till December, 1979 has not been taken into account as a qualifying service for the grant of pensionary benefits only on the ground that no CPF was deducted keeping in view the definition of Rule 2 (k) of the Punjab Panchayat Samiti and Zila Parishad Employees Pension and Provident Fund Rules, 2000.

Learned counsel for the petitioner states that the said Rule already stands clarified by this Court while deciding **CWP No.9125 of 2011 titled as Satish Rani Sood Vs. State of Punjab and others on 01.04.2013** and after interpreting Rule 2 (k) of the said Rules, the benefit of service for which no contribution was deducted, was allowed by this Court subject to the condition laid therein.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served upon the respondents with a legal notice dated 13.03.2018 (Annexure P-6)

and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 13.03.2018 (Annexure P-6) by passing an appropriate 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 13.03.2018 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 13.03.2018 (Annexure P-6) 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 for any monetary benefits after the decision of the legal notice, the same should also be paid to him within three months thereafter.

March 18, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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