

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 8023 of 2019

Date of Decision : 27.03.2019

Sh. Sewa Singh

...Petitioner

Versus

The State of Punjab and others

...Respondents

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

Present: Mr. Vikram Bali, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

The grievance which is being raised by the petitioner in the present writ petition is that though Hon'ble the Supreme Court while deciding Civil Appeal No. 1298 of 2018 on 30.01.2018 has held that the appellants and the similarly situated persons, who are 214 in numbers, will be entitled for the benefit of the pension scheme w.e.f. 01.01.2018 but the said benefit has not been extended to the petitioner.

Learned counsel for the petitioner states that in order to claim the said benefit, the petitioner submitted a legal notice on 24.11.2018 (Annexure P-2) but despite the fact that more than 4 months have elapsed, no benefit has been extended to the petitioner as ordered by Hon'ble the Supreme Court vide order dated 30.01.2018 passed in Civil Appeal No. 1298 of 2018. Learned counsel for the petitioner further states that the petitioner will be satisfied, in case a time bound direction is given to the

respondents to decide his claim as raised in the legal notice dated 24.11.2018_(Annexure P-2).

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 24.11.2018 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 24.11.2018 (Annexure P-2) within a period of three months from the receipt of copy of this order.

In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within three months thereafter.

Writ petition stands disposed of accordingly.

March 27, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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