

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 11216 of 2019
Date of Decision : 01.05.2019

Harbhajan Ram

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pawan Kumar Goklaney, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance which is being raised by the petitioner is that the service which he had rendered from 15.02.1976 till 12.02.1981, has not been treated as a qualifying service for the grant of pensionary benefits. Learned counsel for the petitioner argues that it is clear from Annexure P-1, which is the service book of the petitioner that petitioner rendered service from 15.02.1976 to 12.02.1981 and argues that in view of the settled principle of law settled by the Full Bench of this Court in *Kesar Chand Vs. State of Punjab and others, 1988(2) PLR 223*, petitioner is entitled to count the said service as qualifying service for computing pensionary benefits. Counsel for the petitioner states that petitioner served the respondents with a notice dated 17.11.2018 (Annexure P-7) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the relief claimed in the present writ petition or in the 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 notice dated 17.11.2018 (Annexure P-7) within a period of three months from the date of receipt of certified copy of this order.

The writ petition stands disposed of.

May 01, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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