

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

**(118)**

**CWP-12199-2019**

**Date of Decision: May 09, 2019**

**Rajbir Singh**

**.. Petitioner**

**Versus**

**State of Haryana and others**

**.. Respondents**

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

Present: Mr. Jagbir Malik, Advocate, for the petitioner.

**HARSIMRAN SINGH SETHI, J.(ORAL)**

Learned counsel for the petitioner states that initially, the petitioner was appointed as a Peon with the Municipal Council, Panipat on 05.10.1978. Thereafter in the year 2001, on being declared surplus by the State of Haryana, the petitioner was absorbed in the Education Department against the post of Peon itself and petitioner continued working till he retired on attaining the age of superannuation on 30.06.2018.

Learned counsel for the petitioner argues that the petitioner is entitled for computing the service rendered by the petitioner as a Peon in the Municipal Council, Panipat starting from 05.10.1978 till the year 2001 as a qualifying service for the grant of pensionary benefits, which benefit is declined to the petitioner and the same is contrary to the rules governing the service.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with an advance notice on 15.03.2019 (Annexure P-6) which is still pending consideration with the respondents and the petitioner

will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice 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 advance notice dated 15.03.2019 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the advance notice dated 15.03.2019 (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.

**May 09, 2019**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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