

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

CWP-18141-2019

Date of decision: - 08.07.2019

K.C. Bishnoi

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Manu K. Bhandari, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which has been raised by the petitioner is that he was entitled for getting the benefit of 4 years and 22 days under Clause 3.2 of Chapter VIII-A of the University Pension Statute, but the respondents have only extended the benefit of six months.

Counsel for the petitioner states that petitioner has served a demand notice 16.02.2019 (Annexure P-12) upon the respondents for the redressal of his grievance and has also made a claim for the grant of benefit of 4 years and 22 days weightage in pension under Clause 3.2 of Chapter VIII-A of the University Pension Statute, but the respondents have kept the said demand notice pending seeking a clarification from the State in respect of the instructions dated 05.03.2001.

Counsel for the petitioner argues that instructions dated 05.03.2001 already stands quashed by this Court and therefore, seeking the clarification from the State by the respondent-University as to whether the said instructions have been withdrawn does not arise as the instructions which have been quashed by this Court are no longer in existence and withdrawing by the State Government does not arise.

Counsel for the petitioner states that petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the demand notice dated 16.02.2019 (Annexure P-12).

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the demand notice dated 16.02.2019 (Annexure P-12) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

July 08, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No