

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

(114)

CWP-19961-2019

Date of Decision: July 23, 2019

Mohinder Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vishal Nehra, 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 though the petitioner was appointed in the year 1981 and he continued in service till he attained the age of superannuation on 30.11.2018 but his pensionary benefits have not been calculated correctly by the respondents.

Learned counsel for the petitioner states that the petitioner has only been given benefit of the service from 13.03.1989 onwards whereas, the petitioner was working since 05.08.1981, therefore petitioner was entitled for full pensionary benefits as he had more than 33 years of service to his credit on the day he retired and therefore, the respondents be directed to re-calculate the pensionary benefits of the petitioner by taking into consideration his actual date of appointment which is 05.08.1981, which fact duly stands admitted by the respondents while granting the petitioner retrospective promotion vide order dated 02.01.2017 (Annexure P-2) wherein, it has been duly recorded that the petitioner joined on 05.08.1981.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has

submitted a representation on 15.01.2019 (Annexure P-4) to the respondents 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 same 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 representation dated 15.01.2019 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 15.01.2019 (Annexure P-4) within a period of three months from the receipt of copy of this order.

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

(HARSIMRAN SINGH SETHI)
JUDGE

July 23, 2019
harsha

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