

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.21103 of 2019**

**DATE OF DECISION:30.09.2019**

Mohinder Kumar Sabhlok

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Jitender Nara, Advocate  
for the petitioner.

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

The prayer of the petitioner in the present writ petition is that total length of service for which he had discharged duties in S.D. (Boys) Sr. Secondary School, G.T. Road, Panipat should be counted as qualifying service for calculating the pensionary benefits and not only the period for which CPF has been deducted.

Counsel prays that keeping in view the settled principles of law settled by this Court more than once and recently, while deciding CWP No.5897 of 2003, titled **Prem Chand Tagla and others Vs. State of Haryana and others** and other connected cases, decided on 09.01.2019, it has been held that the employees are entitled for counting their full length of service as qualifying service for the grant of pensionary benefits subject to the conditions mentioned therein.

Counsel for the petitioner states that the petitioner is

ready to comply with the said conditions as enumerated in **Prem Chand Tagla's case (supra)**, therefore, the petitioner be granted the benefit of counting his total length of service while computing the pensionary benefits instead of service for which the contributory provident fund was deducted.

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 a legal notice dated 27.04.2019 (Annexure P-7), 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 legal notice dated 27.04.2019 (Annexure P-7) 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 legal notice dated 27.04.2019 (Annexure P-7), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 27.04.2019 (Annexure P-7) within a period of three months from the receipt of certified copy of this order.

**September 30, 2019**

**jt**

**(HARSIMRAN SINGH SETHI)  
JUDGE**

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