

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 23639 of 2018
Date of Decision : 15.01.2019

Jagdish Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Umesh Narang, Advocate for
Mr. Ranjivan Singh, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Harsimran Singh Sethi, J.(Oral)

The present writ petition has been filed by the petitioner seeking a direction from this Court to the respondents to count his service from 23.07.1990 till 05.04.1994 for being treated as a qualifying service for the grant of pensionary benefits. The said prayer is being made on the basis of the law settled by this Court in *Charan Singh Vs. State of Punjab, 2006(4) RSJ 574*. Another prayer for the refund of ₹33,800/- as deposited by the petitioner on 28.08.2018 has also been sought for in the present writ petition.

Reply on behalf of the respondents has been filed in the Court today, wherein it has been mentioned that claim of the petitioner for counting his service rendered in the Privately Managed Recognized Aided School from 23.07.1990 to 05.04.1994 has been allowed by a speaking

order dated 03.01.2019. Copy of the said order has been attached alongwith the reply as Annexure R-II. Further, in the reply, it has been mentioned that a sum of ₹33,800/- was deposited by the petitioner on his own as contribution for the period for which the petitioner had worked with the Privately Managed Recognized Aided Schools, which period the petitioner wanted to count as a qualifying service. It is stated that petitioner requested that the said deposit may be adjusted while calculating the contribution required to be deposited by the petitioner for the said period. An undertaking has already been given by the petitioner in this regard on 09.01.2019, which has also been appended alongwith the reply.

Learned counsel for the petitioner states that in view of the reply, no grievance of the petitioner remains to be redressed except the implementation of the order dated 03.01.2019.

In view of the above, the present writ petition is disposed of with a direction to the respondents to implement the order dated 03.01.2019 within a period of three months from the date of receipt of certified copy of this order and grant the petitioner the benefits accruing under the said order within the abovesaid period.

January 15, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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