

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21929 of 2019

Date of decision: - 21.08.2019

Arvinder Singh

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashok Bhardwaj, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that though the petitioner has retired from service on 31.05.2018 while working as Superintendent Grade-II but the pensionary benefits of the petitioner have not been released and further the service, which the petitioner had rendered in the Punjab Land Development Corporation (hereinafter referred to as 'Corporation') from 07.07.1979 till 03.12.2000, has not been counted as a qualifying service for the grant of pensionary benefits.

Learned counsel for the petitioner further argues that keeping in view the order passed by this Court in ***CWP No. 2722 of 2013, titled as Yash Pal Singh Rana Vs. The State of Punjab and others***, petitioner is entitled for counting the service, which he had rendered in the Corporation. Learned counsel argues that both petitioner and Yash Pal Singh Rana were working in the same Corporation and thereafter joined the District Consumer Disputes Redressal Forum and, therefore, judgment passed in CWP No. 2722 of 2013, wherein Yash Pal Singh Rana has been allowed the benefits, is fully applicable upon the petitioner as well but still the

petitioner is not being given the benefit of the said judgment and is being forced to approach this Court. Counsel for the petitioner argues that as per the settled principle of law as settled in CWP No. 4382 of 2002 titled as ***Satbir Singh Vs. State of Haryana***, petitioner should have been extended the benefit as extended to Yash Pal Singh Rana.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has made representation dated 03.04.2019 (Annexure P-15) 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 said representation keeping in view the order passed by this Court in ***CWP No. 2722 of 2013 titled as Yash Pal Singh Rana Vs. The State of Punjab and others***.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the representation dated 03.04.2019 (Annexure P-15) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Writ petition stands disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

August 21, 2019
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Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No