

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

(275)

CWP-26537-2018

Date of Decision: September 10, 2019

Prem Wati

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Tribhuvan Dahiya, Advocate, for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that the respondents are wrongly not taking into account the service of the petitioner, which he had rendered in a private aided school, as a qualifying service for computing the pensionary benefits. Petitioner is praying that his service which he had rendered w.e.f. 01.08.1988 to 17.02.1993 in a Government aided institution should be taken as a qualifying service for the grant of pensionary benefits and the arrears of the difference of the pay and the pensionary benefits be released to him along with interest.

Though the reply has not been filed but learned counsel for the respondents, states that the benefit, which is being sought by the petitioner, has already been extended to him vide order dated 07.08.2019. The relevant paragraph of the said order is as under:-

“ Hence, in keeping in view the above facts, I am of the considered view that the claim of the petitioner has been considered and sanction is hereby accorded to count the past

service of Smt. Premwati Retd. JBT GPS Bhaswain Khurd Tehsil Gohana District Sonipat i.e. 01.08.1988 to 17.02.1993 rendered sanction aided as JBT Kanya Gurukul Sr. Sec. School, Khanpur Gohana Sonipat as qualifying service for the purpose of calculation of pension with the condition that she will deposit the management share (CPF) along with 10% annual compound interest of the above said period as per rules.

I passed the order accordingly.”

Learned counsel for the petitioner states that though the benefit has been sanctioned but actual benefit has not been extended to the petitioner so far and the respondents be time bound for releasing the benefit accruing to the petitioner under the order dated 07.08.2019. He further prays that the petitioner be also given liberty to raise his claim for the grant of interest on the delayed payments, which will be released in pursuance to the order dated 07.08.2019 as the petitioner was entitled for the same when he retired from service on 28.02.2014.

Counsel for the respondents states that order dated 07.08.2019 will be implemented in its letter and spirit within a period of two months from today and all the benefits accruing to the petitioner will be released to him within the above said period and further in case the petitioner raises his claim in respect of the interest by submitting any representation, the same would be considered and appropriate order will be passed keeping in view the facts and circumstances of the present case within a period of three months from the date of receipt of the representation and in case it is found that the petitioner is entitled for any relief in respect of the interest, the same

will be released within a period of one month after the passing of the order on representation.

Learned counsel for the petitioner states that in view of the above, the petitioner does not want to press this writ petition any further and prays that the writ petition be disposed of having been not pressed.

Ordered accordingly.

September 10, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes
Whether reportable:	No