

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

CWP No. 4926 of 2017

Date of Decision : 14.01.2019

Baldev Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ranjit Saini, Advocate for the petitioner.

Ms. Deepali Puri Sandhu, Addl. A.G., Punjab.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the prayer is for counting the military service rendered by the petitioner during the second emergency from 03.12.1971 to 25.03.1977 for computing the qualifying service for the grant of pensionary benefits.

Learned counsel for the petitioner states that there is already an order passed by this Court while deciding CWP No. 17661 of 2013 decided on 13.11.2014, by which the benefit was allowed for the grant of pensionary benefits and the said order has already attained finality upto Hon'ble the Supreme Court and the case of the similarly situated persons has been recommended for the approval for the grant of relief. Learned counsel for the petitioner states that at this stage the petitioner will be satisfied in case a direction is given to the respondents to decide the representation filed by the petitioner dated 23.09.2015 (Annexure P-6) in view of the judgment

mentioned above within a time frame manner.

Learned counsel for the State has no objection with regard to the prayer made by the petitioner for deciding the representation dated 23.09.2015 (Annexure P-6) in a time bound manner in view of the law as settled by this Court mentioned above.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the representation, the present writ petition is disposed of with a direction to the respondents to pass appropriate speaking order on the claim raised by the petitioner in the representation dated 23.09.2015 (Annexure P-6) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

January 14, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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