

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

(114)

CWP-24135-2019

Date of Decision: September 24, 2019

Sohan Singh Maan

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sukhraj Singh Brar, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner contends that the period starting from 18.06.1990 till 22.04.2000 during which the petitioner was not allowed to join the duties at the place of posting, has not been taken into consideration as a qualifying service for the grant of pensionary benefits of the petitioner.

The contention which has been raised on behalf of the petitioner is that even though the petitioner was willing to work but he was not allowed to join the duties at the place of posting for a period of ten years and therefore, he was not at fault for not discharging the duties for the abovesaid period and hence, is entitled for the benefits of pension by counting the said period as a qualifying service.

Learned 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 06.06.2019 (Annexure P-4) 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 respondents No.2 to decide the said legal notice 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 06.06.2019 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 06.06.2019 (Annexure P-4), within a period of three months from the receipt of certified copy of this order.

September 24, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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