

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 24540 of 2019

Date of decision : 20.09.2019

Salig Ram and another

...Petitioners

Versus

Housing Board Haryana and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vaibhav Sharma, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that the petitioners had rendered service with Haryana State Minor Irrigation & Tubewell Corporation starting from 17.07.1981 till 05.11.1990. Thereafter, the petitioners were absorbed as Junior Engineers with the Housing Board Haryana from where, the petitioner No. 1 retired on attaining the age of superannuation on 31.05.2018 and petitioner No. 2 retired on 31.12.2017.

The grievance raised in the present writ petition is that the services of the petitioners which they had rendered from the year 1981 till 1990 with HSMITC has not been taken into account while computing the pensionary benefits of the petitioners.

Learned counsel for the petitioners states that similar claim as being raised in the present writ petition has been allowed by this Court while deciding CWP No. 3792 of 2012, decided on 14.01.2016 titled as

Suresh Chand and others Vs. State of Haryana and others, therefore,

direction needs to be issued to the respondents to grant the benefit of the service rendered by the petitioners in HSMITC as a qualifying service for computing the pensionary benefits.

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, petitioner no. 1 has served upon the respondents a legal notice dated 20.04.2019 (Annexure P-12), whereas petitioner no. 2 has made a representation on 20.04.2019 (Annexure P-13). Learned counsel for the petitioners states that both the legal notice and the representation (Annexures P-12 and P-13) respectively are still pending consideration with the respondents and petitioners will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 1 to decide legal notice dated 20.04.2019 (Annexures P-12) and representation dated 20.04.2019 (Annexure P-13) in a time bound manner.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioners, the respondent No. 1 is directed to decide the legal notice dated 20.04.2019 (Annexure P-12) and representation dated 20.04.2019 (Annexure P-13) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Writ petition stands disposed of accordingly.

September 20, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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