

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

CWP-25184-2019

Date of decision: - 10.09.2019

Sudershan Khurana

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Jitender Nara, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance in the present writ petition is that the similarly situated employees, as the petitioner, have been held entitled for the grant of pensionary benefits by this Court.

Counsel for the petitioner argues that a similarly situated employee, namely, Smt. Kanta Khurana, had filed a CWP No.18125 of 2018 seeking the benefit of pension. It has been averred that Smt. Kanta Khurana and present petitioner were working in the same school. This Court vide order dated 18.03.2019 passed in CWP No.18125 of 2018 held that Smt. Kanta Khurana alongwith others, who were the petitioners in the said writ petition, were eligible for the grant of pensionary benefits.

Counsel for the petitioner argues that once the similarly situated employees has been granted the pensionary benefit, it was incumbent upon the respondents to consider the case of the present petitioner also for the grant of the said benefits, but the said consideration

has not been given to the case of the petitioner on the ground that there is no order from this Court making her eligible for the grant of pensionary benefits.

Counsel for the petitioner prays that a direction be issued to the respondents to consider the case of the petitioner also for the grant of pensionary benefits keeping in view the decision rendered in **Kanta Khurana's case (supra)**.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has served the respondents with a legal notice dated 27.04.2019 (Annexure P-15), 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 legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 27.04.2019 (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 her within a period of three months thereafter.

Present writ petition stands disposed of.

September 10, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No