

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 28989 of 2019

Date of decision : 04.10.2019

Shri Radhey Sham Sharma

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mandeep Singh Kundu, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that before the petitioner retired, he was never given any option to switch over to the pension scheme from the GPF/EPF Scheme and, therefore, he is entitled to be considered for the grant of pension.

Learned counsel for the petitioner relies upon an order passed by this Court in CWP No. 225 of 2009, titled as ***Randhir Singh Vs. State of Haryana and others***, decided on 07.07.2010, to contend that similarly situated employees have already been allowed the benefit of Pension Scheme by this Court under the same circumstances and, therefore, direction be issued to the respondents to grant the petitioner the pensionary benefits by considering him under the Pension Scheme and not under the EPF/GPF Scheme.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served respondents with a legal notice dated 07.06.2019 (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 the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 07.06.2019 (Annexure P-4) 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.

October 04, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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