

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

CWP No.32704 of 2019
Date of decision: 13.11.2019

Varinder Kumar and others	Versus	Petitioners
State of Haryana and others		Respondents

Coram: Hon'ble Mr. Justice B.S. Walia

Present: Mr. R.K Malik, Sr. Advocate with Mr. Sandeep Dhull,
Advocate for the petitioners.

B.S. Walia, J. (Oral)

1. Prayer in the Writ Petition is for issuance of writ of mandamus directing the Respondents to consider the period from 09/05/2014 to 10.04.2017 as qualifying service for the purpose of pension and increments of Petitioner No.1 to 3 and further for considering the aforementioned period as qualifying service for the purpose of pension and increments to Petitioner No.4.

2. Learned Senior counsel assisted by Mr. Sandeep Dhull, Advocate for the petitioners states that the petitioners have submitted a Final Demand Notice dated 30.09.2019 to the respondents by relying upon the decision of Hon'ble the Supreme Court in Civil Appeal No.(S).3808 of 2015 in case titled as **State of Haryana and others versus Vijay Seth and others** but no decision has been taken in respect thereto till date and that in the circumstances, the petitioners would be satisfied if at this stage, the writ petition is disposed of by directing respondent No.1 to consider and decide

decision of Hon'ble the Supreme Court in **Vijay Seth's** case (supra) in a time bound manner.

2. Without commenting upon the merits of the claim, the writ petition is disposed of by directing respondent No.1 to consider and decide the claim made in Final Demand Notice Annexure P-5 dated 30.09.2019 in accordance with the rules/regulations/instructions applicable as also decision of Hon'ble the Supreme Court Annexure P-6 relied upon in case the same is applicable, preferably within a period of three months from the date of receipt of certified copy of this order

3. Writ petition disposed of with the aforementioned directions.

November 13, 2019
ps

(B.S. WALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No