

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

(111)

CWP No. 34317 of 2019

Date of Decision : 26.11.2019

Surajmal

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ram Niwas Sharma, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that after the leave without pay, which was earlier sanctioned in favour of the petitioner, was adjusted against the earned leave vide order dated 26.09.2017 (Annexure P-1), petitioner became entitled for counting the said service, which was earlier not counted as a qualifying service due to the fact that for the said period, leave without pay was granted, hence claim of the petitioner needs to be re-considered as the petitioner is entitled for counting the service for the said period as qualifying service.

Learned counsel for the petitioner states that the claim of the petitioner has already been forwarded by the Divisional Forest Officer to the Chief Conservator of Forest (Admn.) vide letter dated 28.03.2018 (Annexure P-3) for the grant of necessary approval but no order has been

passed so far despite the lapse of more than one and half year. Learned counsel for the petitioner prays that the respondents be directed to fix the pay of the petitioner in view of the order dated 26.09.2017 (Annexure P-1) and grant the consequential benefits of the same.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 30.07.2019 (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 30.07.2019 (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.

November 26, 2019
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

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