

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2869 of 2020

Date of decision: 03.02.2020

Ex. Constable Mange Ram

.... Petitioner

versus

Union of India and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mahesh Dheer, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioner argues that the petitioner has been boarded out on medical grounds and the ailment, on the basis of which the petitioner has been retired, is schizophrenia.

The petitioner retired on 19.10.1983, about 36 years ago. No justification has been given by the learned counsel for the petitioner, as to why, the present petition has been filed after such a long delay.

An inordinate delay in approaching this Court can itself be a ground for not inferring in this writ petition at this stage.

Learned counsel for the petitioner argues that due to the non-grant of disability pension, for which the petitioner was entitled, the petitioner is suffering even as of now and delay in approaching this Court can be taken care of by non-grant of arrears of the same.

Learned counsel for the petitioner further argues that for the

relief, which is being claimed in the present writ petition i.e. disability pension, the petitioner has served the respondents with legal notice dated 06.11.2019 (Annexure-P/9), 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 respondent No.2 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 respondent No.2 is directed to decide legal notice dated 06.11.2019 (Annexure-P/9), by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Keeping in view the undertaking given by learned counsel for the petitioner, in case the petitioner is found entitled for the benefit, the arrears on account of said benefit will be restricted only from the date of legal notice i.e. 06.11.2019.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

03.02.2020.
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |