

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3382-2020

Date of decision: - 07.02.2020

Dr. Devinder Kumar Singla

....Petitioner

Versus

Vice Chancellor, Punjabi University, Patiala and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Pawan Kumar Goklaney, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the claim of the petitioner is that he had served the respondent-University on adhoc basis from 02.08.1995 to 03.01.2000, which service has not been taken into account as a qualifying service for computing the pensionary benefits, which is contrary to the settled principle of law '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265.

Further, claim which is being raised by the petitioner is that instead of 300 days earned leave, he has only been granted the benefit of 240 days, which is contrary to the rules and regulations and therefore, the respondents are liable to be directed to grant the petitioner the benefit of 300 days leave encashment instead of 240 days.

Learned counsel for the petitioner prays that as the retiral benefits of the petitioner were released after a reasonable time as fixed by the Full Bench of this Court in 'A.S. Randhawa Vs. State of Punjab and others', 1997(3) SCT 468, petitioner is entitled for the interest on the delayed payments of the retiral benefits.

Learned counsel for the petitioner states that for the reliefs, which are being claimed in the present writ petition, petitioner has submitted a representation dated 16.12.2019 (Annexure P-21) to respondent No.1, which is still pending consideration with respondent No.1 and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.1 to decide the said representation.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.1 is directed to decide the representation dated 16.12.2019 (Annexure P-21) 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 him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

February 07, 2020
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No