

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-18967 of 2011

Date of decision: 19.02.2020

Shivcharanjit Puri

.... Petitioner

versus

State of Punjab and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mohit Garg, Advocate
for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

HARSIMRAN SINGH SETHI, J.

In the present writ petition, the petitioner is claiming benefits under the Punjab Panchayat Samities and Zila Parishad Employees Pension and Provident Fund Rules, 2000 in respect of the services rendered by his late wife Smt. Uma Kumari.

Learned counsel for the petitioner states that during the pendency of the present writ petition, the Hon'ble Supreme Court of India has passed order dated 30.01.2018 in SLP (C) No.14718 of 2010 titled as **Darshan Singh and others vs. The State of Punjab and others**, which has bearing on the grant of benefits as being claimed in the present writ petition. Learned counsel for the petitioner further states that as the judgement in **Darshan Singh's case (supra)** is rendered during the pendency of the present writ petition, the respondents be directed to consider the claim of

the petitioner in terms of the said order sympathetically by passing an appropriate speaking order.

Learned counsel for the respondents very fairly admits that the reply in the present writ petition was filed in the year 2012, which is much prior to the decision of Hon'ble Supreme Court of India in **Darshan Singh's case (supra)**, wherein, the claim of the petitioner is considered. Learned counsel for the respondents further states that the department has no objection in considering the claim of the petitioner in terms of the order passed by Hon'ble Supreme Court of India in **Darshan Singh's case (supra)** for the grant of benefits under the Punjab Panchayat Samities and Zila Parishad Employees Pension and Provident Fund Rules, 2000. He further undertakes that an appropriate speaking order will be passed within a period of three months from the date of receipt of certified copy of this order and in case petitioner is found entitled for any amount, the same will be released to the petitioner within a period of one month thereafter.

Learned counsel for the petitioner states that in view of the statement of the learned counsel for the respondents, petitioner does not press the writ petition at this stage and the same be disposed of as not pressed.

Ordered accordingly.

It is made clear that the respondents will be bound by their statement recorded above.

(HARSIMRAN SINGH SETHI)
JUDGE

19.02.2020.
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |