

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.17481 of 2020

Date of Decision:04.12.2020

Raj Rani and another

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sanjeev Malik, Advocate
for the petitioners.

Ms. Ranjana Shahi, Addl.AG., Haryana.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Services of the petitioners, it is submitted were regularized w.e.f, 04.05.2006, but the petitioners along with others preferred CWP No. 26949 of 2018 and services of the petitioners, were thereafter regularized w.e.f., 01.01.1999, notionally and actual benefits directed to be released w.e.f., 01.09.2011. However, order of regularization w.e.f., 01.01.1999 was withdrawn and service of the petitioners was again treated to be regularized w.e.f., 04.05.2006 vide order dated 06.06.2020. It is submitted that even if services of the petitioners are taken to have been regularized from 04.05.2006, they are entitled to have their earlier service to be treated as qualifying service for the purpose of computing pension and pensionary benefits in terms of judgement dated 31.08.2010 in CWP No. 2371 of 2010 (Annexure P-3), judgement dated 01.03.2019 in CWP No. 1048 of 2016 (Annexure P-4) and judgement dated 10.05.2019 in CWP No. 10238 of 2017 (Annexure P-5). It is submitted that legal notice dated 16.07.2020 (Annexure

P-12), was served upon the respondents, but to no avail.

At this stage, learned counsel for the petitioners restricts his prayer for a decision on the legal notice dated 16.07.2020 (Annexure P-12) in a time bound manner.

Notice of motion.

Ms. Ranjana Shahi, Addl.AG., Haryana, accepts notice on behalf of the respondents and does not raise any serious objection to the limited prayer addressed by learned counsel for the petitioners.

Keeping in view the facts and circumstances of the case and the limited prayer addressed, but without expressing any opinion on the merits of the case, this writ petition is disposed of with a direction to the competent authority, to decide legal notice dated 16.07.2020 (Annexure P-12) submitted by the petitioners, by passing a speaking order, within three months from the date of receipt of certified copy of this order.

04.12.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.