

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

109

CWP-17492-2020.

Date of Decision: 26.10.2020.

Sant Lal

....Petitioner.

Versus

State of Haryana and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Naveen Daryal, Advocate for petitioner.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This Civil Writ Petition under Articles 226 and 227 of the Constitution of India has been moved for issuance of a writ in the nature of Mandamus directing the respondents to count the previous service of petitioner under the HSMITC w.e.f. 12.03.1982 to 04.10.2001 as a qualifying service for all intents and purposes except seniority with further prayer for release of retiral benefits i.e. gratuity, pension, leave encashment, GIS and GPF etc. alongwith interest @ 18% per annum from the date of retirement till the date of actual payment on delayed payment.

Learned counsel for petitioner contended that petitioner has already sent legal notice dated 29.08.2020 to the respondents, copy of which is available on the file as Annexure P/5, but still no action has been taken.

Notice of motion.

At the asking of Court, Mr. Manish Dadwal, Assistant Advocate General, Haryana, accepts notice on behalf of respondents. Complete copy of paper book has been supplied to him.

In view of above, the present petition is disposed of with the direction to the respondents to look into and decide legal notice dated 29.08.2020 (Annexure P/5) in accordance with law by passing speaking order in terms of judgment passed by this Court in **CWP No.24340 of 2016** titled '*Om Parkash and another Vs. State of Haryana and others*' decided **on 24.03.2017**, and that too within three months positively from the date of receipt of copy of this order.

However, it is made clear that this Court expresses no opinion on the merits of the case and the claim made by the petitioner either in the present writ petition or in the legal notice.

(LALIT BATRA)
JUDGE

26.10.2020
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No