

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

CWP-25520-2014

Date of decision: - 04.03.2020

Kultar Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Madhav Pokhrel, Advocate
for the petitioner.

Mr. Navdeep Chhabra, Deputy Advocate General, Punjab.

Mr. S.S. Behl, Advocate
for respondent No.2.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance raised by the petitioner is that the service, which he had rendered with the S.D. Higher Secondary School, Amritsar against an aided/sanctioned post from 12.02.1980 to 31.03.1985, be treated as a qualifying service for computing his pensionary benefits, after he retired from the Punjab School Education Board on attaining the age of superannuation in the year 2014.

Learned counsel for the petitioner states that keeping in view the settled principle of law settled by this Court while deciding

CWP-14238-1991 titled as 'Sukhdev Singh and others Vs. State of Punjab', on 10.03.2010, petitioner is entitled for taking into consideration the service, which he had rendered with the aided institution, as a qualifying service for computing his pensionary benefits.

Learned counsel for respondent No.2 argues that at no given point of time during the service career of the petitioner, he had given any document showing that he had rendered service with an aided institution prior to the joining of the Punjab School Education Board in the year 1988.

Learned counsel for respondent No.2 further states that in the absence of any record submitted by the petitioner, no benefit of the service which he is claiming to have rendered with the S.D. Higher Secondary School, Amritsar from 12.02.1980 to 31.03.1985 can be extended to him.

Learned counsel for the respondent-State, by placing reliance upon the averments made in the reply dated 05.02.2020, has stated that the record of the petitioner with respect to the service rendered by him in S.D. Higher Secondary School, Amritsar against an aided post from 12.02.1980 to 31.03.1985 has already been sent by the respondent-State to the Punjab School Education Board on 22.01.2020.

Learned counsel for the respondent No.2-PSEB very fairly states that the record which has been sent by the respondent-State on 22.01.2020, will be taken into consideration and an appropriate order on the claim of the petitioner for treating the service, which he had rendered in S.D. Higher Secondary School, Amritsar from 12.02.1980 to

31.03.1985 as a qualifying service, will be passed and while passing the said order, the judgment of this Court in Sukhdev Singh (supra) will be kept in mind in case same is applicable.

Learned counsel for respondent No.2 further states that the appropriate order will be passed within a period of three months from the date of receipt of certified copy of this order.

Learned counsel for the petitioner states that keeping in view the statement/undertaking given by learned counsel appearing on behalf of respondent No.2 that an appropriate order on the claim of the petitioner will be passed within a period of three months from the date of receipt of certified copy of this order, the petitioner does not press this writ petition any further, at this stage and the same may be disposed of having not being pressed.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

March 04, 2020
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No