

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

115

CWP No.18520 of 2020

Decided on : 04.11.2020

Ashok Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. P.K. Goklaney, Advocate for the petitioner.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawal, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks grant of pension and other remaining pensionary benefits, especially the amount of Rs.9,67,621/- alongwith interest @ 9% per annum from the date when it became due. The relief claimed is stated to be covered by the order dated 16.01.2020 passed in **CWP No. 5451 of 2019 'Nishan Singh Vs. State of Punjab and others'** (Annexure P-9).

It is the case of the petitioner that he was appointed as a Pump Operator in the Department of Water Supply and Sewerage Board, Division Ferozepur on 10.01.1979, on work-charge basis. His services were regularized on 22.02.1991 and, thereafter, he was transferred to the Municipal Council, Fazilka-respondent No.4 on 01.02.2004. He retired on 31.10.2018 after availing two years extension in service.

Counsel for the petitioner has submitted that a detailed legal notice dated 15.09.2020 (Annexure P-12) has already been served upon the respondents and he would be satisfied if the same is decided within a fixed time frame.

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

115

CWP No.18520 of 2020

-2-

Notice of motion.

Ms. Anju Sharma Kaushik, DAG, Punjab accepts notice on behalf of respondents No.1 to 3 and 5.

Keeping in view the fact that the decision making is incomplete, this Court is of the considered opinion that it is not necessary to call upon the respondents for filing reply, as it would delay the proceedings.

Accordingly, without commenting upon the merits of the case and the entitlement as such of the petitioner, the present writ petition is disposed off with the direction to respondent No.2 to decide the representation of the petitioner within a period of 3 months from the date of the receipt of the certified copy of this order. In case, the amount is payable to the petitioner, the said amount be paid thereafter within a period of 2 months. In case, there is any legal impediment as such and the amount is not liable to be paid, reasoned order be passed and communicated to the petitioner forthwith.

Disposed off.

NOVEMBER 04, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No