

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

Sr. No.117

CWP No.19024 of 2020

DATE OF DECISION: November 10, 2020

JOGINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sameer Sachdeva, Advocate,
for the petitioner.

SUDHIR MITTAL, J. (ORAL)

Learned counsel for the petitioner submits that the petitioner continued in service beyond his date of superannuation on account of interim orders passed by this Court. Subsequently, the writ petition was dismissed and SLP has also been dismissed but the Hon'ble Supreme Court has held that the petitioner and other similarly situated persons who remained in service beyond the date of superannuation on account of interim orders passed by this Court, are entitled to salary and allowances for the said period. The State of Punjab has also taken a policy decision to grant the benefits, whereafter, 95% grant-in-aid has also been sanctioned. However, the said grant-in-aid has not been released to respondent No.3 and thus, the dues of the petitioner are still pending. Even though legal notice dated 20.07.2020 (Annexure P-11) has been issued, no action has been taken till date.

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Notice of motion.

Mr. Nikhil Chopra, Addl. AG, Punjab, accepts notice on behalf of respondents No.1 & 2 and waives service.

Learned counsel for the petitioner states that respondent No.3 need not be served.

Ordered accordingly.

Considering the nature of the order being passed there is no necessity of filing a written statement.

The petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 20.07.2020 (Annexure P-11) expeditiously and in any case not later than 08 weeks from the date of receipt of certified copy of this order. In case, it is found that the petitioner is entitled for salary for the period he remained in service after the date of superannuation, the same shall be released within 04 weeks thereafter.

November 10, 2020

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No