

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

Sr.No.122

CWP No.8141 of 2021

Date of Decision: 09.04.2021

Sultan Singh

...Petitioner

Versus

The State of Haryana and others

...Respondents

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. R.K. Choudhary, Advocate for the petitioner.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant writ petition, the petitioner has sought the indulgence of this Court for the issuance of a writ in the nature of mandamus directing the respondents to count the tenure of his service from 07.08.1987 to 01.04.2011, as rendered on the part-time basis before the regularization of his services, towards the qualifying service for the grant of benefit of pension and also to release all the consequential benefits to him, while averring that initially, he was appointed in respondent No.4-School on 07.08.1987 as part-time Sweeper against the regular sanctioned vacant post and his services were regularized w.e.f. 01.04.2011 and he superannuated on 31.03.2017 but however, the respondents have not counted the afore-said period towards the qualifying period for the purposes of calculating his pension and other retiral benefits and though, he served legal notice dated 29.02.2020

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(Annexure P-4) to the respondents for release of the above-claimed benefits to him but no action has yet been taken thereupon.

Mr. S.S. Pannu, Deputy Advocate General, Haryana has joined the proceedings on behalf of all the respondents in this case, in pursuance of the copies of this petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners submits that the petitioner would be satisfied in case a direction is issued to respondent No.3 to look into and deal with/decide his said legal notice (Annexure P-4), within some specific time-frame.

Learned State counsel has no objection for the same.

Keeping in view the above-discussed limited prayer of learned counsel for the petitioner and without commenting upon the merits of the matter in hand, the instant writ petition is hereby disposed of with a direction to respondent No.3-District Education Officer, Panipat, to look into and deal with/decide the said legal notice of the petitioner (Annexure P-4) in accordance with the law/relevant Rules, by passing a speaking order thereon, within a period of two months from the date of receipt of the certified copy of this order.

(MEENAKSHI I. MEHTA)
JUDGE

09.04.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No