

(In virtual Court)

CWP No.13166 of 2021 (O&M)

Date of Decision: 20.07.2021

Jasbir Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Johan Kumar, Advocate for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to release the retiral benefits of the petitioner i.e. gratuity, leave encashment and benefit of 7th pay commission along with arrears, ex-gratia for the year 2010-2011, 2011-2012 and other retiral benefits along with interest. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the representations of the petitioner dated 18.02.2020, 17.06.2020, 13.08.2020, 30.11.2020, 28.12.2020 and 23.04.2021 (Annexures P-2 to P-7 respectively) by passing a well reasoned speaking order within a time bound frame.

At the outset, counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents take a conscious decision on the representations of the petitioner dated 18.02.2020, 17.06.2020, 13.08.2020, 30.11.2020, 28.12.2020 and 23.04.2021 (Annexures P-2 to P-7 respectively) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Harish Rathee, Deputy Advocate General, Haryana accepts notice on behalf of respondent No.1 and Mr. Padamkant Dwivedi, Advocate accepts notice on behalf of respondent Nos.2 and 3. Even counsel for the respondents are not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.2 to decide the representations of the petitioner dated 18.02.2020, 17.06.2020, 13.08.2020, 30.11.2020, 28.12.2020 and 23.04.2021 (Annexures P-2 to P-7 respectively) and take a conscious decision thereon by passing a speaking order; within a period of three months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of three months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

20.07.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No