

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

CWP 19449 of 2021 (O&M)

Date of Decision: September 27, 2021

Harnaik Singh

...Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Amrik Singh, Advocate
for the petitioner.

Ms. Simran Grewal, AAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

The petitioner has come up in this civil writ petition under articles 226/227 of the Constitution of India seeking a prayer by way of writ of *certiorari* quashing the part of the pension payment order dated 05.01.2021 (Annexure P-8) vide which qualifying service of the husband of the petitioner has been counted from 01.01.1995 only and writ of *mandamus* directing the respondents to count the entire service of the

husband of the petitioner as daily wager as qualifying service to fix his due pension and to pay accrued retiral benefits alongwith arrears and interest on delayed payment, for which, legal notice dated 25.08.2021 (Annexure P-9) has also been served upon the respondent authorities.

Heard. Notice of motion.

At the asking of the Court Ms. Simran Grewal, AAG, Punjab accepts notice on behalf of the respondents. Let copy of the paper book be supplied to her.

Upon hearing learned counsel for the petitioner side, the directions are issued to the respondent authorities to duly consider the legal notice dated 25.08.2021 (Annexure P-9) as representation of the petitioner and decide the same in accordance with law by passing a speaking order, preferably, within a period of one month from the date of passing of this order.

If the petitioner is held entitled for so claimed relief and there is no impediment for granting the same, the relief be released to him without any delay as per law.

Disposed off.

September 27, 2021

amit rana

(FATEH DEEP SINGH)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No