

CWP No.20616 of 2021 (O&M)
Date of Decision: 08.10.2021

Surender Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Aryavart, 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, first to regularize the services of the petitioner according to policy decision dated 29.07.2011 or from the date when the same has been granted to the number of similarly situated employees, who are junior to the petitioner, with all consequential benefits; with a further prayer to direct the respondent to grant the pension from the date on which he was retired after attaining the age of superannuation along with retiral benefits i.e. leave encashment, gratuity etc. along with 12% interest. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the legal notice of the petitioner dated 20.05.2021 (Annexure P-9) 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 legal notice of the petitioner dated 20.05.2021 (Annexure P-9) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana accepts notice on behalf of the respondents. Even counsel for the respondents is 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 legal notice of the petitioner dated 20.05.2021 (Annexure P-9) 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

08.10.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No