

CWP-22382-2021

Date of decision: 03.11.2021

Ramesh Kumar

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Sukhdev Kamboj, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to the respondents to grant pensionary benefits i.e. pension and retirement gratuity including arrears of pension and gratuity along with interest thereon to the petitioner by counting his qualifying service w.e.f. 01.01.1997 till 31.03.2019 instead of w.e.f. 30.04.1999 till 31.03.2019 in view of the fact that deemed date of appointment of the petitioner is 01.01.1997 on notional basis and that he was also granted annual

increment and Assured Carrier Progression (ACP) by treating his date of appointment as 01.01.1997 vide order dated 01.07.2019 (Annexure P-3).

Notice of motion to the official respondents.

Mr. Navdeep Chhabra, DAG, Punjab puts in appearance and accepts notice on behalf of the official respondents-State. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the legal notice dated 03.08.2021 (Annexure P-5) as representation moved by 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 receipt of the certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioner without any delay, as per law.

The petition stands disposed off accordingly.

03.11.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No