

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

(In virtual Court)

CWP No.25250 of 2021 (O&M)

Date of Decision: 13.12.2021

Surender Singh @ Surender Kumar

.....Petitioner

Versus

The Director Elementary Education Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Krishan Singh, 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 an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to consider the case of the petitioner for pension under the Old Pension Scheme as the petitioner was selected by the Selection Committee in the year 2004. 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 07.10.2021 (Annexure P-5) 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 07.10.2021 (Annexure P-5) 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 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.1 to decide the legal notice of the petitioner dated 07.10.2021 (Annexure P-5) 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

13.12.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No