

*(In virtual Court)*CWP No.25892 of 2021
Date of Decision: 17.12.2021

Dr. Narender Kumar Kalia

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Ashwani Kumar Chopra, Senior Advocate with
Mr. Akshit Chaudhary, 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 gratuity payable to the petitioner in terms of Rule 40 of the Haryana Civil Service Pension Rules, 2016, as also other retiral benefits in terms of order dated 21.11.2016 (Annexure P-2), issued by respondent No.1. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the representation of the petitioner dated 20.09.2021 (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 representation of the petitioner dated 20.09.2021 (Annexure P-9) 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.2 to decide the representation of the petitioner dated 20.09.2021 (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

17.12.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No