

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

(In virtual Court)

CWP No.26700 of 2021
Date of Decision:23.12.2021

KUSUM GARG

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Govind Chauhan, 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 grant full pension to the petitioner along with all the other pensionary benefits as the condition of completing 33 years of qualifying service has been held to be bad in law by this Hon'ble court in the judgment dated 27.01.2020 passed in CWP No.26544 of 2016 (Annexure P-5). 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 10.10.2021 (Annexure P-3) 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 10.10.2021 (Annexure P-3) 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 representation of the petitioner dated 10.10.2021 (Annexure P-3) 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

23.12.2021

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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No