

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

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Date of Decision: 22.04.2021.

1. CWP-35353-2019

Prem Chand	Versus	Petitioner.
State of Haryana and others		Respondents.

WITH

2. CWP-774-2020

Madhu Bala	Versus	Petitioner.
State of Haryana and others		Respondents.

AND

3. CWP-12793-2020

Hari Parkash Sharma	Versus	Petitioner.
State of Haryana and others		Respondents.

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunny Singla, Advocate for the petitioners.

Ms. Kirti Singh, Deputy Advocate General, Haryana.

Anil Kshetarpal, J. (Oral)

By this order, CWP-35353-2019, CWP-774-2020 and CWP-127930-2020 shall stand disposed of.

Learned counsel representing the petitioners contended that the case of the petitioners is covered by the judgment passed in CWP-5897-2003 (**Prem Chand Tagla and others Vs. State of Haryana and others**) decided on 09.01.2019. The operative part of the said judgment reads as under:-

“In view of the above, the writ petitions are allowed. The respondents are directed to take into consideration the total length of service rendered by the petitioners into consideration as a qualifying service and then compute their pensionary benefits for which they are entitled for. Let the re-fixation of the pensionary benefits of the petitioners as directed above, be done within a period of two months from the receipt of copy of this order. Whatever the contribution is to be made by each petitioner, towards the period for which the contribution was not deducted, will be deducted interest @ 6% and the amount will be released with interest @ 6% from the total arrears to be paid to the petitioners in each case before making the payment.

The arrears for which the petitioners become entitled for ultimately, shall be released within one month after the computation of the same.”

Learned State counsel submits that the Department in principal agrees with the contention of the petitioners, however, prays that the Department may be permitted to re-examine the issue.

Keeping in view the aforesaid facts, all the three petitions are disposed of by directing the respondents to consider the claim of the petitioners within one month by passing a speaking order. If the petitioners are held entitled to some financial benefits, the same shall be released to the petitioners within next two months. However, if the claim of the petitioners is required to be rejected, the Department shall be required to give specific reasons for the same.

With these observations, these three writ petitions are disposed of.

(ANIL KSHETARPAL)
JUDGE

22.04.2021

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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No