

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(104)

CWP No. 4386 of 2021

Date of Decision : 29.09.2022

Sewa Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mazlish Khan, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the grievance which is being raised by the petitioner is that he was pre-maturely retired on medical ground on attaining the age of 55 years and keeping in view the said retirement, he could not complete the requisite period seeking the pensionary benefits. Learned counsel for the petitioner argues that the case of the similarly situated employees, who were also relieved by the respondent-department but they were granted the compensatory amount upon their retirement by the respondent-department. The reliance is being placed upon an order passed by the respondents, a copy of which has been appended as Annexure P-5. Learned counsel for the petitioner submits that the petitioner, who was also retired prior to attaining the age of superannuation on medical ground, was also entitled to the said compensatory allowance, which has not been

extended to him and that too without any valid justification.

Learned counsel for the petitioner submits that petitioner has already raised the said grievance in the legal notice dated 15.12.2020 (Annexure P-11), which is still pending consideration with the respondents and petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. R.S. Budhwar, learned Addl. A.G., Haryana, who is present in Court, accepts notice on behalf of the respondent-State and raises no objection in deciding the legal notice dated 15.12.2020 (Annexure P-11) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondents are directed to decide the legal notice dated 15.12.2020 (Annexure P-11), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

September 29, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	√ Yes/No
<i>Whether reportable?</i>	√ Yes/No