

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(114)

CWP No. 3607 of 2022

Date of Decision:-06.09.2022

M.K. Jain

.....Petitioner

Vs.

Kurukshetra University, Kurukshetra

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shayam Singh Chhokar, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J.(Oral)

In the present petition, the grievance of the petitioner is that the service which the petitioner had rendered with the DAV College, Pehowa from 1981 to 1984 and thereafter as Lecturer in Commerce in Department of Commerce and Lecturer in Management in Department of Management in Kurukshetra University, Kurukshetra from 1984 till 1989, has not been taken into account as a qualifying service for computing the pensionary benefit of the petitioner, which act on the part of the respondent is contrary to the settled principles of law settled by this Court while passing order in CWP No. 6595 of 2015 titled as ***"F.S. Chaudhary Vs. Chaudhary Charan Singh Haryana Agriculture University, Hisar and others"*** decided on 15.01.2019.

Learned counsel for the petitioner further submits that keeping in view the order passed in F.S. Chaudhary's case (supra), the petitioner is entitled for the as claimed in the present petition.

Learned counsel for the petitioner also submits that the grievance raised in the present petition, has already been raised before the respondent-

University by way of a legal notice dated 17.01.2022, a copy thereof has been appended as Annexure P-24, which is still pending consideration with the respondent-University and petitioner will be satisfied, at this stage, in case a direction is issued to the respondent-University to decide the same by passing an appropriate speaking order in a time bound manner.

On the asking of the Court, Mr. A.S.Virk, Advocate, who is present in Court, accepts notice on behalf of the respondents-University and raises no objection in deciding the legal notice dated 17.01.2022 (Annexure P-24) 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 present petition or in the legal notice dated 17.01.2022 (Annexure P-24), the respondent-University is directed to decide the same by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

In case after passing of the speaking order, the petitioner is found entitled for any relief, the same be also extended within a further period of four weeks.

Present writ petition stands disposed of.

06.09.2022

Anjal

**(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No