

CWP-6034-2022

Date of decision: -24.03.2022

PARTAP SINGH

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. P.K. Goklaney, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the petitioner is entitled for the grant of pensionary benefits as envisaged under the Punjab Municipal Employees Pension and General Provident Fund Rules, 1994 but without any valid justification, the petitioner has not been extended the benefit of the same. Though, the petitioner has already retired from service on attaining the age of superannuation. Learned counsel for the petitioner submits that even otherwise, as per settled principle of law, the petitioner is entitled for the grant of benefit as has been claimed in the petition for which the petitioner has already filed a representation with the respondents claiming the same. The reliance is being placed upon the representation dated 08.02.2022 (Annexure P-10). Learned counsel submits that as the settled principle of law has not been mentioned in the said representation, the petitioner also intend to supplement the same by filing the supplementary representation, which may also be taken into consideration by the respondents. Learned counsel submits that the petitioner will be satisfied at this stage in case,

the time bound direction is given to the Director Local Bodies, Punjab to pass a speaking order on the representation dated 08.02.2021 (Annexure P-10) alongwith the supplementary representation to be filed by the petitioner.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, who is present in Court, accepts notice on behalf of the State and raises no objection for passing appropriate order on the representation of the petitioner (Annexure P-10) or any other supplementary representation, which the petitioner intends to file.

Be that as it may, without going into the merits of the case or the claim being made by the petitioner in the representation already filed or to be filed, a direction is issued to respondent No.2 to consider the claim of the petitioner as to whether the petitioner is entitled for the grant of pensionary benefits as is being claimed by him and pass appropriate order, within a period of eight weeks from the date of receipt of the copy of this order on the representation dated 08.02.2021 (Annexure P-10) alongwith the supplementary representation, if any, filed by the petitioner. In case, the petitioner is found entitled for the relief, the same be also released in his favour within a period of next four weeks of passing of the said order on his representation dated 08.02.2022 (Annexure P-10).

(HARSIMRAN SINGH SETHI)
JUDGE

24.03.2022
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Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No