

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

CWP No.6144 of 2022

Date of Decision : 25.03.2022

Kamlesh Kumari

.. Petitioner

Versus

State of Haryana and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Chirag Wadhwa, Advocate
for the petitioner.

Mr. Raman Kumar Sharma, Addl. A.G., Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the service of the petitioner which has rendered from 09.03.1979 to 01.03.1990 has not been taken into account for calculating the qualifying service so as to compute the pensionary benefits, which is contrary to the settled principle of law.

Learned counsel for the petitioner submits that the case of the petitioner is squarely covered by the decision of this Court in **CWP No.4271 of 2015** titled “*Usha Wadhwa vs. State of Haryana and others*”, decided on 14.11.2019 and therefore, the appropriate direction be issued to the respondents to take into account the service rendered by her from 09.03.1979 to 01.03.1990 towards calculating the qualifying service and grant the consequential benefits as such.

Learned counsel for the petitioner submits that the grievance of the petitioner has already been raised before the respondents through representation dated 02.12.2021 (Annexure P-6), which is pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is given to respondent No.2 to decide the said representation dated 02.12.2021 (Annexure P-6) by passing appropriate speaking order.

Notice of motion.

Mr. Raman Kumar Sharma, Addl. A.G., Haryana, accepts notice on behalf of the respondents and raises no objection in deciding the representation dated 02.12.2021 (Annexure P-6) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or opining anything on the claim being made by the petitioner in the representation dated 02.12.2021 (Anexure P-6), respondent No.2 is directed to decide the legal notice dated 02.12.2021 (Annexure P-6) by passing an appropriate speaking order within a period of 8 weeks from the date of receipt of copy of this order.

Present writ petition stands disposed of

March 25, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No