

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

(131)

CWP-10523-2022

Date of Decision : May 17, 2022

Jagtar Singh Bhullar

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Meenu, Advocate, for
Mr. A.P.S Bhullar, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner had served the respondents on adhoc basis from 18.09.1972 to 17.12.1974, which period has not been taken into account as a qualifying service for computing his pensionary benefits. Learned counsel for the petitioner submits that keeping in view the rules governing the service coupled with the settled principle of law, the petitioner is entitled for counting the adhoc service rendered by the petitioner prior to the regularization of his service as qualifying service for computing the pensionary benefits and hence, the respondents are liable to be directed to refix the pensionary benefits of the petitioner along with consequential benefits.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by serving upon them a legal notice dated 21.06.2021 (Annexure P-7), which is

still pending consideration with the respondents and the petitioner will be satisfied at this stage, in case a time bound direction is issued to respondent No.2 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Ms. Monica Chhibber Sharma, learned Senior Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the legal notice dated 21.06.2021 (Annexure P-7) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 21.06.2021 (Annexure P-7), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 21.06.2021 (Annexure P-7) within a period of three months from the receipt of copy of this order.

May 17, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No