

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CWP No. 18980 of 2021

Date of Decision : 05.04.2022

Mahabir Prashad Garg

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Bhupinder Malik, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed with a prayer that the service rendered by the petitioner in a Govt. Aided College from 24.07.1974 to 22.01.1979, before the said College was taken over by the Government, be taken into consideration as a qualifying service for computing the pensionary benefits of the petitioner.

Learned counsel for the petitioner argues that the question of law as raised in the present petition is covered by the decision of this Court in CWP No. 12844 of 2017 titled as ***Dev Kumar Yadav and others Vs. State of Haryana and another***, decided on 16.07.2019 but still, the petitioner has not been extended the benefit as being claimed by him in the present petition. Learned counsel for the petitioner submits that the petitioner had submitted a legal notice dated 18.05.2020 (Annexure P-8) to

with the respondents but no final decision is being taken by the respondents, which fact is causing prejudice to the petitioner and hence, the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to finally decide the legal notice dated 18.05.2020 (Annexure P-8) by passing an appropriate speaking order in a time bound manner.

Notice of motion.

Mr. Raman Kumar Sharma, learned Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 18.05.2020 (Annexure P-8) 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, the respondent No. 2 is directed to decide the legal notice dated 18.05.2020 (Annexure P-8), by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same should also be paid to the petitioner within a period of four weeks thereafter.

Present writ petition stands disposed of.

April 05, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No