

Rajpal Singh

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sandeep Kumar Yadav, Advocate,
For the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner, MPHWH (Male) (ex Army Man) herein seeks issuance of a writ in the nature of mandamus directing the respondents to grant the benefits of his past service towards earned leave and handicap allowance etc.

2. Learned counsel for the petitioner submits that petitioner served as Constable in Indian Army and retired after about 17 years. During his military service, petitioner suffered disability up to 60% which later increased to 75%. Thereafter petitioner applied through proper channel and was appointed as Multipurpose Health Worker (Male) on 09.09.2010 and retired on 31.3.2022. He submits that Govt. of Haryana issued Instructions as per letter dated 09.09.2018, allowing grant of past service benefits, i.e. military service for the purpose of grant of earned leave. He submits that persons with more than 60% disability are entitled to special disability allowance @18% per month as per Instructions dated 29.01.2019 issued by Government of India.

3. Learned counsel for the petitioner submits that petitioner qua his aforesaid grievance submitted a representation dated 02.03.2022 (Annexure P-7) followed by legal notice dated 01.04.2022 (Annexure P-9) but to no avail. Hence, the instant petition.

4. On advance service, learned State counsel appears and submits that a decision will be taken by competent authority, either way, on the pending legal notice dated 01.04.2022 (Annexure P-9).

5. At this stage, learned counsel for the petitioner also seeks decision on the pending legal notice, as suggested by learned State counsel.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the competent authority to look into the legal notice dated 01.04.2022 (Annexure P-9) of the petitioner and pass an administrative order, in accordance with law. Let the needful be done within a period of six weeks.

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

July 04, 2022
vandana

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No