

(In virtual Court)

CWP No.14396 of 2021 (O&M)

Date of Decision: 13.01.2022

Pawan Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. Lalit Rishi, Advocate for
Mr. S.S. Dinarpur, Advocate for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)****CM-10381-CWP-2021**

This is an application for placing on record the service rules i.e. Haryana Transport Department (Group-B) Service Rules, 1992 as Annexure P-9 and Haryana Transport Department (Group-C) Service Rules, 1995 as Annexure P-10.

For the reasons mentioned in the application, the same is allowed and the service rules i.e. Haryana Transport Department (Group-B) Service Rules, 1992 and Haryana Transport Department (Group-C) Service Rules, 1995 are taken on record as Annexures P-9 & 10.

Main Case

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of certiorari quashing the action of the respondents in calculating the pension of the petitioner on a lower post of 'Chief Store Keeper' instead of the post of 'Store Purchase officer' i.e. the post on which the petitioner was promoted and working prior to his retirement, with a further prayer for quashing the action of the respondents in not granting benefits of GIS, Leave Encashment, LTC and

ACP to which the petitioner is entitled to immediately upon his retirement on 31.10.2020, with certain other prayers made in the present petition.

At the outset, the counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents take a conscious decision on the legal notice of the petitioner; dated 12.07.2021 (Annexure P-8) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana accepts notice on behalf of respondent Nos.1 to 3. Even counsel for respondent Nos.1 to 3 is not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.2 to decide the legal notice of the petitioner dated 12.07.2021 (Annexure P-8) and take a conscious decision thereon by passing a speaking order; within a period of three months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of three months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

13.01.2022
raj/sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No