

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

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IN VIRTUAL COURT

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CWP No. 14333 of 2021 (O & M)

Date of decision : 11.1.2022

Gaj Raj Singh

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. S.S. Dinarpur, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

CM No. 10379-CWP of 2021:

This is an application for placing on record the service rules viz. Haryana Transport Department (Group B) Service Rules, 1992 and Haryana Transport Department (Group C) Haryana Roadways Service Rules, 1995 as Annexures P-6 and P-7.

For the reasons mentioned in the application, the same is allowed. Service Rules Annexures P-6 and P-7 are taken on record.

Main Case :

This petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari for 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; and in not releasing the benefit of GPF and Leave Encashment etc. to the petitioner. It is also prayed that the respondents be directed to re-calculate the pension of the petitioner by taking his post and last pay drawn at the time of retirement and to

release the benefit of GPF and Leave Encashment with interest @18% per annum.

At the outset, counsel for the petitioner submits that the petitioner would be satisfied if the respondents pass a speaking order on his legal notice dated 8.7.2021 (Annexure P-5) within a time frame.

Notice of motion.

Mr. Harish Rathee, DAG, Haryana accepts notice on behalf of respondents. Even counsel for the respondents 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 issued by the petitioner dated 8.7.2021 (Annexure P-5) and take a conscious decision thereon by passing a speaking order; within a period of 3 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 3 months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

11.1.2022
Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No