

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118

CWP-14367-2022

Date of Decision :08.07.2022

Jai Mala

..Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gaurav Tyagi, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the service rendered by the petitioner with the respondents, for which, CPF was not deducted, has not been taken into account by the respondents as qualifying service for computing pensionary benefits of the petitioner, which is contrary to the settled principle of law. Learned counsel for the petitioner argues that the question of law as raised in the present petition, has already been decided by this Court while passing order in **CWP-5897-2003** titled as **Prem Chand Tagla and others vs. State of Haryana and others** on 09.01.2019 but, still benefit of said judgment has not been extended to the petitioner by the respondents on the ground that the petitioner was not party to the said petition.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of filing a representation dated 09.02.2022 (Annexure P/6), which is still pending

consideration with the respondents and the petitioner will be satisfied in case a time bound direction be issued to the respondent No.2 to decide the said representation.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and raises no objection in deciding the representation dated 09.02.2022 (Annexure P/6) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in her representation, respondent No.2 is directed to decide the representation dated 09.02.2022 (Annexure P/6) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order. In case after the decision it is found that petitioner is entitled for any monetary relief, the same will be extended to her within a period of next four weeks.

Present writ petition stands disposed of.

July 08, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No