

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

CWP No.14697 of 2022

Date of Decision:-13.07.2022

Suresh Bhateja

...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 though it is a conceded fact that the petitioner joined the service on 10.10.1977 but the respondents started deducting his CPF from 01.01.1980 and the service which the petitioner had rendered from 10.10.1977 till 31.12.1979 has not been taken into account as qualifying service for computing the pensionary benefits of the petitioner, which act of the respondents is contrary to the settled principle of law. Learned counsel for the petitioner argues that the total length of service is to be taken into account as qualifying service may be subject to the condition that the petitioner will deposit the Contributory Provident Fund for the period it was not deducted, alongwith interest.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the competent authority vide

representation dated 07.3.2022 (Annexure P-6), which is still pending consideration before the respondents and the petitioner will be satisfied in case direction is given to the respondents to decide the said representation dated 07.3.2022 (Annexure P-6) in a time bound manner.

Notice of motion.

Mr. Kiran Pal Singh, AAG, Haryana accepts notice on behalf of respondents and raises no objection in deciding the representation dated 07.3.2022 (Annexure P-6) by passing an appropriate speaking order in a time bound manner.

Without going into the merits of the case or the claim being made by the petitioner in the present petition or in the representation, the respondent No.2 is directed to decide the representation dated 07.3.2022 (Annexure P-6) within a period of eight weeks from the date of receipt of certified copy of this order. In case, after the decision, the petitioner is found entitled for any benefits, the same be also extended to him within a period of next four weeks.

July 13, 2022
Vijay Asija

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No