

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CWP-14801-2022

Date of Decision :14.07.2022

Namrata

...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 services, which the petitioner had rendered with the respondents from 11.02.1981 till 01.02.1983, for which, CPF was not deducted by them, has not been taken into account by the respondents as qualifying service for computing the pensionary benefits of the petitioner, which action of the respondents is totally arbitrary in nature. Learned counsel for the petitioner submits that the case of the petitioner for counting the total length of the service rendered by her, as a qualifying service for computing her pensionary benefits, is covered by the judgment of this Court passed in **CWP-5897-2003** titled as **Prem Chand Tagla and others vs. State of Haryana and others** on 09.01.2019. Learned counsel for the petitioner further submits that the conditions imposed by this Court while granting the benefit in **Prem Chand Tagla's case (supra)** are acceptable to the petitioner and

therefore, the respondents are liable to grant the benefit of counting the total length of service rendered by the petitioner, as qualifying service for computing her pensionary benefits.

Learned counsel for the petitioners submits that the petitioner have already raised the said grievance before the respondents by way of filing a representation dated 17.02.2022 (Annexure P/6), which is still pending consideration with the respondents and the petitioner will be satisfied in case a time bound direction is 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 the respondent-State and raises no objection in deciding the representation dated 17.02.2022 (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 17.02.2022 (Annexure P/6) by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same will be extended to her within a four weeks thereafter.

Present writ petition stands disposed of.

July 14, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No