

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(272)

CWP-18641-2021

Date of Decision : March 08, 2022

Santosh Kumar

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Ms. Upasana Dhawan, AAG, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner is entitled for counting of his service which the petitioner had rendered in DAV Senior Secondary School, Gurgaon while computing the pensionary benefits. Learned counsel for the petitioner submits that the prayer of the petitioner is already covered by the decision of this Court in CWP No.5897-2003 titled as Prem Chand Tagla and others versus State of Haryana and others, decided on 09.01.2019, which order has already been implemented qua the similarly situated employees and therefore, the petitioner is also entitled for the same benefit.

Learned counsel for the petitioner submits that the petitioner has already filed a representation dated 26.03.2021 (Annexure P-5) with respondent No.2, which is still pending consideration with the respondents

and the respondents be directed to decide the same by passing appropriate speaking order by keeping in mind the settled principle of law settled by this Court in CWP No.5897-2003 titled as Prem Chand Tagla and others versus State of Haryana and others, decided on 09.01.2019.

Learned State counsel submits that the representation filed by the petitioner claiming the benefit of counting the service which has been rendered by him on adhoc basis, will be considered within a period of eight weeks from today and the order passed by this Court will kept in mind while deciding the claim of the petitioner.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 26.03.2021 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 26.03.2021 (Annexure P-5) within a period of four weeks from the date of receipt of copy of this order. While passing the order on the representation dated 26.03.2021 (Annexure P-5), the order passed by this Court in CWP No.5897-2003 shall be kept in mind.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the representation, the same should also be paid to the petitioner within four weeks thereafter.

March 08, 2022*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No