

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

(129)

CWP-20588-2022

Date of Decision : September 12, 2022

Vijender Singh

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parth Goyal, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner is entitled for the benefit under the Old Pension Scheme keeping in view the fact that the petitioner had competed in pursuance to the advertisement No.7 of 2004 and the selection was finalized on 16.12.2004 and other candidates were allowed to join the same day whereas, the petitioner was not allowed the said benefit, which benefit has only been allowed to the petitioner by the competent Court of law. Learned counsel for the petitioner submits that keeping in view the said fact once, the colleagues of the petitioner who competed for appointment to the same post, were appointed in December, 2004 i.e. prior to the date when New Contributory Provident Fund Scheme came into force, the petitioner is entitled for the grant of the benefits under the Old Pension Scheme.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by serving upon them a legal notice dated 02.04.2022(Annexure P-13), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the same by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the legal notice of the petitioner in a time bound manner by passing an appropriate speaking order.

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 legal notice dated 02.04.2022(Annexure P-13), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 02.04.2022(Annexure P-13) within a period of eight weeks from the receipt of copy of this order.

September 12, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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