

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-25865-2021

Date of Decision: 14.03.2022

Bimlesh Kumar Singh and another

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ranjit Saini, Advocate,
for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners argues that in the present case, the period for which the Contributory Provident Fund was not deducted by the respondent-Department has not been taken into account as a qualifying service for computing the pensionary benefits of the petitioners by the respondents, which is contradictory to the settled principle of law as laid down by this Court in **CWP-22558-2016** titled as “***Suraj Parkash Bajaj Vs. State of Haryana and others***”, decided on 16.10.2019.

Learned counsel for the petitioners further submits that in view of the judgment passed by this Court in **Suraj Parkash Bajaj's case** (supra), the grievance, as raised by the petitioners in the present petition, the petitioners have already filed the legal notices dated 09.09.2021 and 01.11.2021 (Annexures P-3 and P-4), which are still pending consideration with the Department concerned and the petitioners will be satisfied at this stage, in case a time bound direction is given to the respondents to decide

the said legal notices by passing appropriate speaking orders.

Notice of motion.

Mr. Raman Kumar Sharma, Additional A.G., Haryana, keeping in view the advance service of copy of the petition, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioners for deciding the legal notices dated 09.09.2021 and 01.11.2021 (Annexures P-3 and P-4) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case, the present petition is disposed of with a direction to the respondent-Department to pass the appropriate speaking orders on the legal notices dated 09.09.2021 and 01.11.2021 (Annexures P-3 and P-4), filed by the petitioners, within a period of eight weeks from the date of receipt of the copy of this order. In case, the petitioners are found entitled for the relief, the same be also released in their favour within a period of next four weeks of passing of the said orders on their legal notices dated 09.09.2021 and 01.11.2021 (Annexures P-3 and P-4).

14.03.2022*Apurva***(HARSIMRAN SINGH SETHI)
JUDGE**

1. Whether speaking/reasoned : Yes
2. Whether reportable : No