

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

CWP-22852-2022

Date of Decision :30.09.2022

Zile Singh Deswal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rahul Deswal, Advocate for the petitioner.

* * *

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the pension of the petitioner has not been fixed according to his entitlement and even the qualifying service for computing his pensionary benefits has not been taken into account in accordance with law. Learned counsel for the petitioner submits that keeping in view the non-calculation of correct qualifying period of service, even the gratuity given to the petitioner is not as per his entitlement hence, the respondents are under an obligation to grant the petitioner correct fixation of pension by taking into account correct qualifying service and, thereafter, calculate the pensionary benefits of the petitioner, for which he is entitled for.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 13.09.2022 (Annexure P-4), 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. R.S. Budhwar, Addl. A.G. 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 representation 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 13.09.2022 (Annexure P-4), the present writ petition is disposed off with a direction to respondent No.2 to decide the legal notice dated 13.09.2022 (Annexure P-4) within a period of eight weeks from the receipt of copy of this order.

September 30, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No