

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

Sr. No.101

CWP No.37461 of 2019

Date of Decision: 16.09.2022

Suresh Kumar

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunil Hooda, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present petition, the grievance as raised by the petitioner is that the service rendered by the petitioner with respondent No.5 has not been taken into consideration while computing qualifying service so as to grant the pensionary benefits.

Learned counsel for the petitioner submits that though the petitioner was appointed in the said school in the year 1973 but as the provident fund was deducted starting from the year 1975, only the benefit of service rendered from 1975 onwards has been extended whereas as per settled principles of law laid down by this Court while passing judgment in **CWP No.5897 of 2003** decided on 09.01.2019 titled as **Prem Chand Tagla and others versus State of Haryana and others**, the petitioner is entitled for the grant of full benefits for the complete service as the petitioner is ready to deposit his contribution of Provident Fund along with interest for the period it was not deducted.

Learned counsel for the petitioner submits that the petitioner has raised the said grievance by way of a legal notice dated 21.10.2019 (Annexure P-7) which is pending consideration with the respondents and the petitioner will be satisfied at this stage in case, a direction is given to the

respondents to decide the said legal notice by passing an appropriate speaking order in a time bound manner.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 21.10.2019 (Annexure P-7) filed by the petitioner, by passing an appropriate speaking order in a time bound manner.

Without going into the merits of the case, the present petition is disposed of with a direction to respondent No.5 to decide the legal notice dated 21.10.2019 (Annexure P-7) filed by the petitioner, by passing an appropriate speaking order within a period of 8 weeks from receipt of copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

16.09.2022
Maninder

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