

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

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**CWP-4051 of 2023
Date of Decision: 28.02.2023**

Rakesh Kumar

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amrik Singh, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to correct the pension of the petitioner by giving the additional weightage of five years of qualifying service on the voluntary retirement of the petitioner on 30.06.2016 in accordance with the Punjab Civil Service (Premature Retirement) Rules, 1975.

Learned counsel for the petitioner submitted that the petitioner was entitled for the aforesaid benefit of five years of qualifying service on the voluntary retirement which has been denied to the petitioner and in this regard he had given a detailed representation to the Executive Engineer, Electrical Division PWD B&R, Jalandhar Cantt. (Annexure P-7) dated 02.02.2023 which has not been addressed to by the competent authority and no order has been passed regarding the same. He submitted that the valuable rights of the petitioner have been affected by the inaction of the respondents in this regard

and states that at this stage he will be satisfied in case his limited prayer for directing the respondent-Executive Engineer is considered and his representation is decided in accordance with law and within time bound framework.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of all the respondents and states that she has no objection in case the representation of the petitioner is decided in a time bound manner.

In view of the aforesaid position and considering the limited prayer of the petitioner at this stage and without observing anything on the merits of the case, this Court deems it fit and proper to dispose of the present petition at this stage even without calling for reply from the respondents.

The present petition is disposed of accordingly with a direction to respondent No.3- Executive Engineer to consider and decide the representation (Annexure P-7) made by the petitioner strictly in accordance with law and pass a well-reasoned speaking order within a period of three months from today.

Needless to say that in case after the aforesaid representation is decided and the petitioner is found to be entitled, then necessary benefits shall be given to the petitioner as early as possible.

(JASGURPREET SINGH PURI)
JUDGE

February 28, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No