

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(250)

CWP-26515-2022

Date of Decision : August 07, 2023

Sukhbir Singh Gulia

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajender Singh Malik, Advocate, for the petitioner.

Mr. Tapan Kumar Yadav, Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the parties submits that the letter dated 28.06.2019, which has been applicable in the case of the petitioner to deny him the benefit of pension, has been quashed by the Coordinate Bench of this Court while passing order in ***CWP No.9668 of 2020 titled as Sunil Katyal vs. State of Haryana and others, decided on 16.05.2023***, hence, the claim of the petitioner for the grant of pension is required to be considered under the Notification of the Government dated 11.06.2014, which squarely covers the case of the petitioner.

2. Keeping in view the fact that the parties are not disputing the facts stated hereinbefore, once, the letter dated 28.06.2019, was made applicable to deny the benefit of pension to the petitioner and the said letter already stands quashed in ***Sunil Katyal's case (supra)***, the respondents are

under an obligation to consider the claim of the petitioner for the grant of benefit of pension under the instructions which are prevalent without applying the letter dated 28.06.2019, which already stands quashed.

3. Let the claim of the petitioner be considered in accordance with law without applying the letter dated 28.06.2019 as to whether, the petitioner is entitled for the grant of benefit of pension keeping in view the Notification of the Government dated 11.06.2014 and appropriate order will be passed within a period of two months from the receipt of certified copy of this order and in case after the passing of the order, any benefit accrues to the petitioner, the same will also be extended to him within a further period of four weeks.

4. The present writ petition is disposed of in above terms.

August 07, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No