

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

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**CWP-831-2023 (O&M)
Date of decision: 16.01.2023**

Sewapati @ Sevapati

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Deepak Girotra, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition under Article 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents to count and treat the period from 12.07.1988 to 01.07.2006 as qualifying period for grant of pensionary benefits upon superannuation.

Learned counsel for the petitioners submits that the petitioner was appointed as a part time Sweeper w.e.f. 12.07.1988 and continued on the said post uninterrupted and regularized on 01.04.2006. The petitioner is going to retire on 31.12.2023. As per the rules/instructions issued from time to time, the petitioner is fully eligible for grant of pensionary benefits and her case is liable to be initiated for grant of pensionary benefits. The petitioner has issued a legal notice dated 15.09.2022 (Annexure P-7) through her counsel to respondent Nos. 2 and 3, she has also sought some relevant information through RTI but no information has been supplied to her as yet.

Learned counsel for the petitioner further submits that the petitioner will be satisfied, if her legal notice dated 15.09.2022 (Annexure P-7) is decided by the concerned within a stipulated period.

Notice of motion.

On the asking of this Court, Mr. Rajesh Gaur, Addl. AG Haryana accepts notice on behalf of the respondent-State.

It seems that the petitioner is very conscious for her pensionary benefits and has also has issued a legal notice dated 15.09.2022 (Annexure P-7) through her counsel to respondent Nos. 2 and 3.

In view of the above, the present petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 15.09.2022 (Annexure P-7) issued by the petitioner through her counsel, within a period of six months from the date of receipt of certified copy of this order, by passing a speaking order, in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

16.01.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No