

CWP-2475-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-2475-2024

Decided on : 05.02.2024

Rajinder Singh

. . . Petitioner(s)

Versus

Chandigarh Administration and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Surinder Singh, Advocate
for the petitioner(s).

Mr. Rohit Kaushik, Advocate for
Ms. Ruchi Sekhri, Addl. Standing Counsel
for the respondents (appearing on advance notice).

SANJAY VASHISTH, J. (Oral)

1. At the outset, learned counsel for the petitioner relies upon the decision dated 26.07.2016 (Annexure P-4), passed by this Court in CWP-7963-2012, whereby, same relief has already been ordered and granted to the co-employee of the petitioner, namely; Harcharan Singh Gill. Pensionary benefits have been settled by respondent No.2 – Municipal Corporation, Chandigarh, for which petitioner claims to be entitled w.e.f. 01.11.2010.

2. Learned counsel for the petitioner submits that petitioner joined the services with the respondent(s) – Department as ‘Panchayat Secretary’ on 17.04.1981, and was later on, promoted as Tax Collector in the year 1995. Petitioner retired on 29.10.2010, after attaining the age of superannuation, after rendering an unblemished service of 29 years, 06 months and 25 days. Service conditions of the employees of the respondents are governed under the Punjab Panchayat Samitis and Zila Parishad Service

Rules, 1965 (for brevity, 'Rules of 1965') (Annexure P-1). Pensionary benefits are governed under the Punjab Panchayat Samitis and Zila Parishads Employees Pension and Provident Fund Rules, 2000 (in short, 'Rules of 2000') (Annexure P-2), as adopted by the Chandigarh Administration, vide its notification dated 05.09.2001 (Annexure P-3).

3. Learned counsel for the petitioner further submits that in regard to the prayer made in the present writ petition, already claim has been submitted to the respondents through representation dated 15.10.2018 (Annexure P-7) and subsequent thereto, through legal notice dated 27.12.2018 (Annexure P-8). Further submits that despite the pendency of the representation (P-7) and legal notice (P-8), no decision thereon has been taken by the respondents so far.

4. Learned counsel for the petitioner submits that at this stage, petitioner would be satisfied, if a direction is issued to the respondents to decide the representation dated 15.10.2018 and legal notice dated 27.12.2018 (Annexures P-7 & P-8, respectively), in a time bound manner, as per law.

5. Considering the averments made in the writ petition and the submissions addressed, present writ petition stands **disposed of**, and the respondents concerned are directed to take final decision on the pending representation dated 15.10.2018 and legal notice dated 27.12.2018 (Annexures P-7 & P-8, respectively) in accordance with law, within a period of four months, from the date of receipt of certified copy of this order.

Needless to say that in case, petitioner is found entitled for the relief, as claimed in the representation dated 15.10.2018 and legal notice dated 27.12.2018 (Annexures P-7 & P-8, respectively), he would be

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extended the relief as prayed, at the earliest thereafter, preferably within a period of two months.

(SANJAY VASHISTH)
JUDGE

February 05, 2024
J.Ram

Whether speaking/reasoned: ✓ *Yes*/~~No~~
Whether Reportable: ✓ *Yes*/~~No~~