

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

115

CWP-2553-2024

Date of Decision :06.02.2024

Aman Rathi

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, prayer of the petitioner is that the period for which the petitioner remained out of service due to the non-submission of gradation certificate should be treated as duty period for all intent and purposes including the salary.

2. Learned counsel for the petitioner submits that the petitioner remained out of service from 06.01.2021 to 16.11.2022 due to the non-submission of gradation certificate hence, the respondents are under an obligation to grant the petitioner benefit of said period by treating the same as duty period along with all consequential benefits including the arrears of salary.

3. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 17.11.2023 (Annexure P/13), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the

respondents to decide the said legal notice.

4. Notice of motion.

5. Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that in case the legal notice dated 17.11.2023 (Annexure P/13) has been received from the petitioner and is still pending consideration with the respondents, the same will be decided by the respondents in accordance with law and an appropriate order will be passed within a period of 08 weeks from the date of receipt of copy of this order.

6. Learned counsel for the petitioner submits that keeping in view the statement of the learned counsel for the respondents, present petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

February 06, 2024
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(sHARSIMRAN SINGH SETHI)
JUDGE

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