

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-3527-2024 (O&M)
Date of decision: 27.02.2024

Harinder Singh
....Petitioner
Versus
State of Punjab and Another
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Alka Chatrath and Ms. Divyajyot Mann, Advocates
for the petitioner

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to count the service from 24.11.1984 to 08.07.1990 rendered by the petitioner against regular sanctioned aided post in Khalsa College Senior Secondary School, Amritsar.
2. Learned counsel would contend that the petitioner was appointed as lecturer in the Government School, however, the said service is not being counted as qualifying service for the purpose of pension and other consequential benefits, even though, there is a judgment passed by this Court in **Sukhdev Singh and Others vs. State of Punjab and Others** in CWP-14238-1991, decided on 10.03.2010 and the same was implemented and instructions in this regard were also issued on 31.08.2010, Annexure P-6 and a similar circumstanced JBT teacher namely Jora Singh has been granted this benefit vide order dated 27.10.2021, Annexure P-7. In this regard, a legal notice dated 04.12.2023, Annexure P-9, has been served upon respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being

considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting him an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider and decide the legal notice dated 04.12.2023, Annexure P-9, taking note of the judgment as referred to or any other judgment on this point, within a period of 6 months and if found entitled, necessary benefits be granted to the petitioner forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating him therewith.

(AMAN CHAUDHARY)
JUDGE

27.02.2024
M.Kamra

Whether speaking/reasoned

Whether reportable

:

Yes / No

:

Yes / No