

CWP-6578-2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CWP-6578-2024
Date of Decision: 19.03.2024

Dinesh Kumar ...Petitioner(s)

Versus

Vice-Chancellor, Guru Jambheshwar University of Science and Technology, Hisar and another ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Gourave Bhayyia Gilhotra, Advocate, and Mr. Hitesh Verma, Advocate for the petitioner

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to pass appropriate orders to release the pro-rata pensionary benefits on monthly basis, instead of lump sum retiral benefits.

2. It is contended that the petitioner joined respondent University as Reader in the Department of Computer Science and Engineering on 17.07.1997. Prior thereto, he was serving as Lecturer in C.R. State College of Engineering, Murthal. After serving the University for about twenty-five years, he submitted technical resignation for joining as Professor in Delhi Technical University, and has been working there since 26.04.2018. By submitting various representations, including the one dated 01.07.2021, Annexure P-10, he specifically opted for recurring pensionary benefits for the service rendered in the University. The request, however, has not been accepted without citing any reason, and he has been released lump sum

pension vide order dated 15.11.2021, Annexure P-11. As per Rule 15 D of the Haryana Civil Services (Pension) Rules, 2016, the petitioner has the option to get recurring or non-recurring pension for the service rendered. Therefore, the order dated 15.11.2021, needs to be revised, to release recurring pensionary benefits to the petitioner, who is ready and willing to refund the entire amount credited to his account in terms of the office order. At this stage, he will be satisfied in case the second respondent is directed to decide the pending legal notice, dated 27.10.2023, Annexure P-12, in a specified period by passing a reasoned order.

3. Mr. Puneet Gupta, Advocate, appearing on advance notice for the University, submits that appropriate action will be taken by the second respondent on the pending legal notice, dated 27.10.2023, keeping in views the facts mentioned above, within a period of eight weeks.

4. In view of the statement made, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.

5. Ordered accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

19.03.2024
Payal

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>