2024:PHHC:043275

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

129 CWP-7276-2024 (O&M)
Date of decision: 01.04.2024

Satpal Singh ..Petitioner

Versus

State of Punjab and ors ..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. PS Khurana, Advocate for the petitioner.

***

AMAN CHAUDHARY, J (Oral)

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus directing the respondents to reconsider the speaking order dated 17.08.2020 (Annexure P11).

2. Learned counsel would contend that service of the petitioner rendered in the Govt. aided school has not been counted towards pensionary benefits in view of the Rule 4.4 of Punjab Civil Services Rules and Instructions dated 15.11.2000 (Annexure P6) which was rejected vide order dated 26.08.2020 primarily on the ground that reliance having been placed on the judgment of this Court by the petitioner dated 28.11.2018 passed in CWP-4629-2012 had been stayed in LPA-1853-2018 which has since been dismissed by this Court on 16.09.2022 (Annexure P12) as also the SLP filed by the State of Punjab stood dismissed on 13.04.2023 (Annexure P13). In this regard, a legal notice dated 12.02.2024 (Annexure P16), has been served upon the 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. Charanpreet Singh, AAG, Punjab, accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

ASHOK KUMAR
2024.04.02 10:22
I attest to the accuracy and
integrity of this document

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 the respondents to decide the legal notice dated 12.02.2024, Annexure P16 by taking into account the pleas of the petitioner raised therein, within a period of 6 months and if found entitled, necessary benefit be granted to him forthwith.

(AMAN CHAUDHARY)
JUDGE

01.04.2024
ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

ASHOK KUMAR
2024.04.02 10:22
I attest to the accuracy and
integrity of this document