

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(119)

CWP-10389-2024

Date of Decision : May 06, 2024

Bhag Singh

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.A. Sheoran, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the prayer of the petitioner is that the period spent by the petitioner in the Army during the emergency, has not been taken into account for the grant of gratuity/pension and other retiral benefits hence, the respondents be directed to include the service period spent in Army during the emergency as qualifying service to grant the pension/pensionary benefits.

2. Learned counsel for the petitioner submits that the grievance raised in the present petition has already been raised by the petitioner in the demand notice dated 05.12.2023 (Annexure P-4) 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 demand notice by passing an appropriate speaking order.

3. Notice of motion.

4. Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that in case the demand notice dated 05.12.2023 (Annexure P-4) has been received in the office of concerned authorities and is still pending consideration with the authorities concerned, the same will be decided by the authorities concerned within a period of eight weeks of the receipt of copy of this order and in case, after the decision of the demand notice, any benefit accrues to the petitioner, the same will also be released to him otherwise due reasons will be mentioned in the speaking order for not accepting the claim of the petitioner for his information and necessary action.

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

7. Ordered accordingly.

May 06, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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