

258 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12754-2021
Date of Decision : 14.02.2024

Harjit Singh	Versus	...Petitioner
State of Punjab and others		Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Mr. Sunny Singla, Advocate for the petitioner.

Mr. Amarpreet Bains, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the instant petition is for quashing of the speaking order dated 18.07.2018 (Annexure P-8) passed by respondent No.2 as also to issue directions to the respondents to count the service rendered by the petitioner in the Government College and in the Government Aided Privately Managed Colleges for the purpose of qualifying service towards the pensionary benefits.

2. Learned counsel submits that the claim for counting of service rendered in Govt-in-aid colleges towards qualifying service for pensionary benefits was rejected on 20.07.2018 only on the ground that the petitioner had not been appointed against the sanctioned post under 95% deficit grant-in-aid policy. He has submitted that he has obtained information from the concerned College depicting therein that he as a matter of fact had been appointed against grant-in-aid post. It is his further submission that similarly situated persons have been granted the same benefit by the judgments of this Court in CWP No.14238 of 1991 (**Sukhdev Singh and others versus State of Punjab and others**) decided on 10.03.2010,

Harjit Kaur versus State of Punjab and others, 2009(3) S.C.T. 444 and

Mrs. B.K. Sharma versus Commissioner, Patiala Division 1996 (2) S.C.T. 824.

These aspects have not been taken into consideration by the competent authority. He prays that liberty be granted to him to bring to the notice of the authorities all these facts supported by documents to substantiate, for which he would file a representation/legal notice within four weeks. 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. Learned State counsel has no objection to the limited prayer made.
- 4. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction that in case the petitioner submits a representation within a period of four weeks, the same shall be considered by the respondents in the light of the aforesaid decisions and decided, within a period of four months and if found entitled, necessary relief be granted to him forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating him therewith.

February 14, 2024
ps/hemant

(AMAN CHAUDHARY)
JUDGE

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