



117

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-14590-2024
Date of Decision: 01.07.2024

Puran Singh Petitioner
Versus
State of Haryana and others Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Naveen Daryal, Advocate for
Mr. Vikas Kumar Dhariwal, Advocate for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned action of the respondents in not counting the training period i.e. one year as qualifying service for the purpose of pension as has been counted in cases of juniors to the petitioner with a further prayer in the nature of *mandamus* directing the respondents to refix the pension and other consequential benefits while counting petitioner's service as qualifying service from the date of joining as Trainee Security Guard i.e. from 20.07.1985 as the same has been counted in cases of juniors of the petitioner by refixing the pension by assessing proper calculation and further for granting the difference in assessing the calculation while fixing the pension along with interest.

2. Learned counsel for the petitioner submitted that the petitioner joined the respondent-Board on 22.07.1985 as Trainee Security Guard and after completion of his one year training, his services were regularized at the post of Security Guard vide order No.303/DSG-128 dated 02.07.1986. The



grievance of the petitioner is that his training period of one year has not been counted for the purpose of pensionary benefits while the same has been counted in cases of his juniors. He further submitted that a legal notice was issued by the petitioner to the respondent-Board on 15.02.2024 vide Annexure P-5, but neither the legal notice has been replied to nor any action has been taken in this regard. He submitted that at this stage, the petitioner will be satisfied in case the legal notice (Annexure P-5) issued by him to the respondent-Board is directed to be decided by passing of a speaking order in accordance with law and in a time bound manner.

3. Notice of motion.
4. On the asking of the Court, Mr. Gaurav Jindal, Additional Advocate General, Haryana, who is present in Court, appears on behalf of the respondents and stated that he has no objection, in case, a direction is issued to the respondents for considering and deciding the legal notice issued by the petitioner vide Annexure P-5 in accordance with law and within a fixed time frame.
5. In view of the aforesaid position, without calling for the reply from the respondents and without observing anything on the merits of the case, the present petition is disposed of with a direction to the respondents to consider and decide the legal notice issued by the petitioner vide Annexure P-5 dated 15.02.2024 strictly in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

01.07.2024

(JASGURPREET SINGH PURI)

Bhumika

JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No