



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CWP No. 19017 of 2024
Date of Decision : 08.08.2024

Harmesh Lal

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasbir Singh Mohri, Advocate for the petitioner.
Mr. Swapan Shorey, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner submits that the part time service rendered by the petitioner with the respondents is not being taken into account for computing the pensionary benefits, which is contrary to the judgment of this Court in CWP No. 10238 of 2017 titled as ***Jeewan Lata Vs. State of Punjab and others***, decided on 10.05.2019 and further as, the petitioner was in service as on 01.01.2004 though, his services were regularized after the said date, the petitioner is entitled for the grant of benefit of pension under the Old Pension Scheme. Learned counsel for the petitioner submits that the petitioner is going to retire within a period of one year, hence, respondents be directed to consider the claim of the petitioner in accordance with law.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the representation dated 18.12.2023



(Annexure P-9) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Swapan Shorey, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representation dated 18.12.2023 (Annexure P-9) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed and the said order will be duly conveyed to the petitioner.

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

6. Ordered accordingly.

August 08, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No