

CWP-24728-2024 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-24728-2024 (O&M)
Date of Decision :25.09.2024

Amit Gupta

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. S.K. Rattan, Advocate for the petitioner.

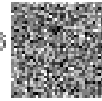
Mr. Swapan Shorey, DAG, Punjab.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that the petitioner is entitled for the grant of benefit of counting the service rendered by him in the aided institution for the purpose of determining the qualifying service after being retired from the service of the State of Punjab and the said claim of the petitioner is covered by the judgment of the Coordinate Bench of this Court in **CWP-14238-1991 titled as Sukhdev Singh and others vs. State of Punjab and others, decided on 10.03.2010** but the respondents are not granting the said benefit to the petitioner, which action of the respondents is totally arbitrary and illegal especially, when the similarly situated employees have already been extended the said benefit.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 09.06.2024



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(Annexure P/6), which is still pending consideration and the petitioner will be satisfied at this stage, in case, the respondents are directed to decide the said legal notice in a time bound manner.

Notice of motion.

Mr. Swapan Shorey, DAG, Punjab accepts notice on behalf of the respondent-State.

Learned counsel for the respondents submits that in case, legal notice dated 09.06.2024 (Annexure P/6) has been received from the petitioner, the same will be decided in accordance with law and appropriate speaking order will be passed within a period of 08 weeks from the date of receipt of copy of this order and in case, it is found feasible, the relief will be extended to the petitioner otherwise, due reasons for not accepting the claim of the petitioner will be mentioned in the speaking order so passed, which will be conveyed to the petitioner for his information and necessary action.

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

Ordered accordingly.

September 25, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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