



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(119)

CWP No. 31325 of 2024
Date of Decision : 21.11.2024

Ramanjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Harinder Sharma, Advocate for the petitioner.
Mr. T.P.S. Chawla, Senior Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner argues that the petitioner was given the deemed date of appointment from 01.01.1997 but the period of retrospective deemed date of appointment from 01.01.1997 to 25.01.1999 is not being taken into account as qualifying service for computing the pensionary benefits, which is arbitrary and illegal. Learned counsel further argues that once a notional date of appointment has been given as 01.01.1997, the same is to be taken in account for all intents and purposes including to be treated for the purpose of computing the qualifying service, hence, the respondents are liable to be directed to grant the petitioner the retiral benefits by treating the date of appointment as 01.01.1997 and not 25.01.1999.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 14.07.2024



(Annexure P-6) 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. T.P.S. Chawla, Senior Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 14.07.2024 (Annexure P-6) 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.

November 21, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No