

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-28728 of 2023

Date of decision: 24.01.2024

Bimla Rani

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Rajeev Dev Sharma, Advocate,
for the petitioners.

Mr. Arun Gupta, AAG, Punjab.

Mr. Sanjeev Soni, Advocate,
for respondent No.3.

NAMIT KUMAR, J.

1. Present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to grant all the pensionary benefits under the Punjab Municipal Employees Pension and GPF Rules 1994 as it existed prior to 01.01.2004 by counting the service rendered by the husband of the petitioner as daily wager towards qualifying service as the petitioner is covered under the Punjab Municipal Employees Pension and General Provident Fund Rules, 1994, as it existed prior to 01.01.2004 and was applicable to the employees recruited in the Municipalities of Punjab Government prior to 01.01.2004 and to grant all the consequential service benefits arising therefrom to the petitioner.

2. Learned counsel for the petitioner at the outset confines his prayer for deciding representation dated 25.11.2023 (Annexure P-

- 5). He submits that at this stage, petitioner would be satisfied, if the said representation is decided by passing a speaking order within a time-bound frame.
3. Notice of motion.
4. Mr. Arun Gupta, AAG, Punjab, who is present in Court accepts notice on behalf of the respondents No.1 and 2 and Mr. Sanjeev Soni, Advocate, accepts notice on behalf of respondent No.3.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.3-Competent Authority is directed to consider and decide the claim made in the representation dated 25.11.2023 (Annexure P-5) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, her claim be released within a period of six weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioner merits rejection the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioner within the time as stipulated hereinabove.
7. The petition stands disposed of.

24.01.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No