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

**CWP-22756-2025 (O&M)
Date of decision: 07.08.2025**

Baldev Raj

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Namit Khurana, Advocate and
Mr. Rahul Dahiya, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ 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 release the pensionary benefits of the petitioner i.e. pension, gratuity and commutation, along with arrears and interest and further to decide the legal notice dated 10.05.2022 and reminder dated 10.07.2024 (Annexures P-3 & P-4) respectively.

2. Learned counsel for the petitioner submits that the petitioner was initially appointed as Sweeper on *ad hoc* basis and his services were regularized in the year 1991. Thereafter, the petitioner was promoted to the



post of Safai Daroga on 24.02.2021. However, due to conviction of the petitioner in a criminal case, his annual increments from the year 2010 onwards were stopped and also, his pay was not revised as per recommendations of 7th Pay Commission. Thereafter, the petitioner filed a civil suit, which was decided by learned Civil Court, vide judgment dated 08.08.2024 (Annexure P-2), directing the respondent authorities to grant annual increments and revise his pay along with arrears. It is further submitted that the petitioner retired from service on 30.06.2021, however, till date, his retiral benefits have not been released. Feeling aggrieved, the petitioner served a legal notice dated 10.05.2022 (Annexure P-3) upon respondent No.2 for release of all pensionary benefits and also issued a reminder dated 10.07.2024 (Annexure P-4), however, the same have not been decided so far. Learned counsel for the petitioner submits that he would be satisfied if the legal notice (Annexure P-3) is decided by respondent No.2 by passing a speaking order in a time bound manner.

3. Notice of motion.

4. Mr. Piyush Khanna, Addl. AG, Haryana, who is present in the Court, accepts notice on behalf of respondent No.1 while Mr. Vikrant Pamboo, Advocate appears on behalf of respondent No.2. They have no objection, in case a direction is issued to respondent No.2 to consider and decide the legal notice dated 10.05.2022 (Annexure P-3) in a time bound manner, by passing a speaking order.



5. In view of the limited prayer made by learned counsel for the petitioner, present petition is disposed of and respondent No.2 is directed to consider and decide the legal notice dated 10.05.2022 (Annexure P-3) and pass a speaking order, after affording him an opportunity of hearing, within a period of three months from the date of receipt of certified copy of this order.

6. Further, the decision taken on the legal notice dated 10.05.2022 (Annexure P-3) shall be conveyed to the petitioner.

7. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to him forthwith by respondent No.2.

07.08.2025
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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No