

(2014) 05 P&H CK 0508
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 6032 of 2014

Man Bahadur

APPELLANT

Vs

State of Haryana and Another

RESPONDENT

Date of Decision : 28-05-2014

Acts Referred:

Citation : (2014) 05 P&H CK 0508

Hon'ble Judges : Augustine George Masih, J

Bench : Single Bench

Advocate : Naveen Daryal, Advocate for the Appellant

Final Decision : Allowed

Judgement

Augustine George Masih, J.—Petitioner has approached this Court praying for issuance of directions to the respondents to count the previous service of the petitioner, which has been rendered by him with the H.S.M.I.T.C. w.e.f. 10.03.1975 to 2002 for all purposes i.e. Revised pay scale, ACP scale, fixation of pay and pensionary benefits as per the Haryana Government Notification dated 16.12.2010 (Annexure P-4). Prayer has also been made for release of the retiral benefits such as gratuity, pension, leave encashment, G.I.S. and G.P.F. Etc. and the payment of interest due to delay on the part of the Government according to Government Notification dated 20.02.2002 (Annexure P-3).

2. The claim of the petitioner is covered in his favour by the judgment passed by this Court in Civil Appeal No. 4446 of 2008 titled as State of Haryana and others vs. Deepak Sood. Petitioner has submitted a representation claiming the said benefit dated 08.01.2014 (Annexure P-5) and thereafter, a reminder/representation dated 12.03.2014 (Annexure P-6) but no response thereto has been received.

3. Counsel for the petitioner states that the petitioner, at this stage, would be satisfied if a direction is issued to the Excise and Taxation Commissioner, Haryana-respondent No. 2 to consider and decide the representation dated

08.01.2014 (Annexure P-5) as also reminder/representation dated 12.03.2014 (Annexure P-6) submitted by the petitioner within some specified time.

4. In the light of the submissions made by the counsel for the petitioner and without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the Excise and Taxation Commissioner, Haryana-respondent No. 2 to consider and decide the representation dated 08.01.2014 (Annexure P-5) as also reminder/representation dated 12.03.2014 (Annexure P-6) submitted by the petitioner within a period of three months" from the date of receipt of certified copy of this order.

5. In case the claim of the petitioner is accepted, the consequential benefits, if any, be released to him, in accordance with law, within a further period of one month. In case the claim of the petitioner is not to be accepted, a well-reasoned and speaking order be passed and conveyed to him forthwith.