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

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Date of decision: 29.01.2025

Dr Jasbir Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Vikas Chatrath, Advocate for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for consideration of claim of the petitioner for pension and other pensionary benefits after taking into consideration his service rendered by him with Indian Army w.e.f. 23.08.1999 to 23.08.2004 as qualifying service in terms of Rule 8-C of the Punjab Recruitment of Ex-Serviceman Rules, 1982. Learned counsel for the petitioner relies on the judgment passed by this Court in **Radhe Shyam Garg vs. State of Haryana and others**, 2015(2) SCT 624, Annexure P-9, as per which once the pay protection is granted, the service has to be counted for the aforesaid purpose. In this regard, a legal notice dated 27.11.2024, Annexure P-11 has been served upon the respondents, which has yet not evoked any response. He, on instructions, prays that a direction be given to the respondents to decide the same in a time bound manner, to which learned State counsel has no objection.

2. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide the legal notice dated 27.11.2024, Annexure P-11, within a period of 4 months, taking note of the aforesaid rules as also the judgment, which this Court has no reason to believe the authorities would not address in a just, fair



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and reasonable manner. Upon doing so, after notice and hearing offered to his and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

29.01.2025
Hemant

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