

103 + 220
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-15261-CWP-2016 in/and
CWP No. 17506 of 2015 (O/M)
Date of decision : 1.12.2016

Ram Phal

..... Petitioner (s)

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Naveen Daryal, Advocate, for the petitioner.

Mr. Harish Nain, Advocate, for applicants-respondents.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

-:-

-:-

KULDIP SINGH J. (ORAL)

CM-15261-CWP-2016

Written statement on behalf of respondents is taken on record.

Application is disposed of.

Main case

Heard.

The short controversy in the present case is that the petitioner wants his workcharge service from 1.4.1977 to 31.3.1981 and adhoc service from 1.4.1981 to 31.3.1982 to be computed for the purpose of pensionary benefits. The petitioner retired from service in the year 2006.

In the reply, the respondents have not denied the instructions under which the said service is to be regularized. Their only objection is regarding the delay in approaching this Court as the petitioner retired from service in the year 2006. Further it stated that the employee's share has not

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been deposited.

In these circumstances, the present writ petition is disposed of with a direction to the respondents to compute the workcharge and adhoc service of the petitioner for computing the pensionary benefits. If the respondents feel that under the rules, the petitioner is required to deposit some amount on account of EPF/CPF, they shall issue a notice to the petitioner to deposit the same and on depositing the same, the respondents shall take the follow up action. However, in view of the delay in approaching this Court, the petitioner shall not be entitled to interest on the delayed payment.

The learned counsel for respondents undertakes that the needful will be done within three months from the date of receipt of certified copy of this order.

The present writ petition is accordingly allowed to the abovenoted extent.

(KULDIP SINGH)
JUDGE

1.12.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No