

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

Date of decision: 23.05.2016

CWP No.6283 of 2015 (O&M)

Sital Singh

...Petitioner

Vs.

Punjab State Power Corporation Limited & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sharwan Sehgal, Advocate, for the petitioner.

Mr. G.S.Ghuman, Advocate, for the respondents.

1. *To be referred to the Reporters or not?*
2. *Whether the judgment should be reported in the Digest?*

RAJIV NARAIN RAINA, J. (ORAL)

The respondent – Corporation admits in the written statement that the petitioner had served as a work-charged employee before his services were regularized and therefore the period of work-charged service has to be counted towards pension and pensionary benefits in view of the decision of the Full Bench of this Court in Kesar Chand Vs. State of Punjab & others, 1998 (5) SLR 27, a law followed to this day.

Though the prayer is not opposed, but it is not without a rider. The petitioner would have to deposit his share of the Employees' Provident Fund amount along with interest at the rate of 12% p.a. in the pension fund

of the Corporation before he can draw pension by counting his service as a work-charged employee towards qualifying service for pension.

The Corporation would inform the petitioner of the exact amount of money due for deposit, which the petitioner is required to remit in the pension fund. On receipt of the calculation sheet, the petitioner would deposit the amount in the pension fund of the Corporation. The exact amount computed, would be communicated to the petitioner within one month for his satisfaction and he would accordingly deposit the amount determined within another month to activate pension.

It is noted that the petitioner retired as Assistant Lineman on 31.12.2013 and would be entitled to arrears of pension with effect from the date of retirement on due compliances. However, the principal amount would earn interest at the rate of 12% p.a. from the date of filing of the present petition i.e. 31.03.2015 till the next two months co-terminus.

With these observations and directions, the petition stands disposed of.

23.05.2016
Vimal

[RAJIV NARAIN RAINA]
JUDGE