

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

CWP No. 6231 of 2016
Date of decision: 04.04.2016

Kashmira Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Onkar Rai, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks the benefit of counting the period from 22.12.1975, the date of his termination till the date of his reinstatement in pursuance of the award dated 18.03.1980 for the purposes of counting it as qualifying service for the purposes of pensionary benefits.

The pleaded case of the petitioner is that he had joined Punjab Roadways, Ludhiana as Conductor on 13.05.1975. His services were terminated on 22.12.1975. The industrial dispute raised by him has been decided in his favour by passing of the award by the Labour Court, Ludhiana on 18.03.1980 (Annexure P-1) and he was reinstated in service with continuity of service but he was not entitled to any back wages. Thereafter, he retired on 31.03.2011.

Counsel submits that a legal notice dated 25.01.2016 (Annexure P-2) has already been served upon the respondents but no action has been taken on the same. Counsel further submits that he would be satisfied if the same is decided within a time bound frame since the

petitioner has recurring cause of action as his pensionary benefits are adversely affected by the non-counting of the said period of almost over 4 years.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the writ petition has been supplied to him in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need for the respondents to file reply.

Accordingly, without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent no. 3 to take action on the legal notice dated 25.01.2016 (AnnexureP-2) within a period of 3 months from the date of receipt of certified copy of the order. Needless to say if the relief is to be denied, a reasoned order be passed and conveyed to the petitioner.

04.04.2016
shivani

(G.S. SANDHAWALIA)
JUDGE