

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.8020 of 2016
Date of decision: 29.4.2016

Balwinder Kaur and others ...Petitioners

Versus

Punjab School Education Board and another ...Respondents

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

Present: Mr. Ramesh Goyal, Advocate the petitioners.

G.S.SANDHAWALIA, J. (Oral)

Prayer made in the present writ petition is for counting of adhoc service rendered by the petitioners in view of Full Bench judgment of this Court in **Kesar Chand Vs. State of Punjab and others 1988 (5) SLR 27**. Further prayer has been made for refixing the pension of petitioners no.2 and 3 who have already retired whereas petitioners no.1 and 4 are also due to retire.

The pleaded case of the petitioners is that they were appointed between the years 1975 to 1990 and their services were regularised between the years 1986 to 1992. The details are mentioned as under:-

Sr. No.	Name & Father's name	Designation	Date of joining	Date of regularisation	Branch in which working or from which retired	Date of retirement
1.	Balwinder Kaur/ Gurbachan Singh	Sr. Asstt.	6.7.90	25.2.92	Exam-2	31.10.2016
2.	Balbir Singh s/o Joginder Singh	Packer	17.9.79	18.5.92	Sales Depot PTA	31.8.15
3.	Jagpal Singh s/o Ganga Singh	Supdt.	22.9.75	9.7.86	Exam-I	31.10.15
4.	Rakesh Kumar s/o Mussadi Lal	-do-	30.10.81	5.12.89	Accounts Branch	30.4.17

Counsel for the petitioner submits that legal notice dated 18.2.2016 (Annexure P/5) has been submitted to the respondents for

counting of the said period and all the details have been mentioned in the said legal notice but no action is being taken. Counsel further submits that he would be satisfied if a direction is issued to respondents to decide the said legal notice within some fixed time frame.

After hearing counsel for the petitioners and in view of the facts summarized above, this Court is of the opinion that no useful purpose would be served if notice is issued upon the respondent to call upon them to file the reply in view of the limited relief which the petitioners are seeking.

Accordingly, without commenting on the merits of the case and the entitlement of the petitioners, the present writ petition is disposed of with a direction to the respondents to take into consideration the legal notice dated 18.02.2016 (Annexure P-5) and pass necessary orders on the same within a period of 3 months from the date of receipt of certified copy of the order. In case the petitioners no.2 and 3 are found entitled for their claim, the same be granted and the amount be disbursed to them within a period of one month thereafter. In the case of petitioners no.1 and 4, if relief is granted, they would be given necessary benefit at the time of their superannuation. In case relief is to be denied to the petitioners, a speaking order be passed which shall be communicated to the petitioners within the aforesaid period.

April 29, 2016
Pka

(G.S.SANDHAWALIA)
Judge