

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9583 of 2016
Decided on : 17.05.2016

Surat Singh

... Petitioner

Versus

Punjab State Power Corporation Ltd. & others ... Respondents

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

Present : Mr.S.K.Rattan, Advocate, for the petitioner.

G.S. Sandhawalia , J. (Oral)

Petitioner seeks counting of work-charge service w.e.f. 01.09.1981 to 31.05.1999 along with his regular service from 01.06.1999 to 31.08.2012, for the purposes of pensionary benefits along with interest.

The pleaded case of the petitioner is that he was appointed as Beldar/Chowkidar on work-charge basis with XEN-Mukerian Hydel Mechanical Division No.1 on 01.09.1981 (Annexure P1), as per the service book. His services were regularized on 01.06.1999 by the Executive Engineer, M.E. Division, Patiala as Assistant Lineman and he retired on 31.08.2012. If the period of the work-charge service is to be counted, he gets the benefit of 17 years and 9 months as the total service period would be 31 years. Reliance is placed upon the judgment of the Division Bench in **Kesar Chand Vs. State of Punjab & others 1988 (5) SLR 27.** Counsel further points out that representation dated 04.06.2015 (Annexure P3) had also been made, in which the earlier representations dated 23.04.2012 made during his service period was also referred to, but no action has

been taken. It is further submitted that legal notice dated 10.04.2016 (Annexure P4) has also been served upon the respondents for the necessary relief but no action has been taken.

Counsel submits that the petitioner would be satisfied if the legal notice dated 10.04.2016 (Annexure P4) is decided within a fixed time-frame.

Notice of motion.

Mr.Avinit Avasthi, AAG, Punjab accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Keeping in view the limited relief sought, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioner, the present writ petition is disposed of, with a direction to respondent No.2, to decide the said legal notice dated 10.04.2016 (Annexure P4), within a period of 3 months from the date of receipt of a certified copy of this order. In case the relief is to be denied, a speaking order be passed and the same be conveyed to the petitioner.

MAY 17, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE