

COCP No.1700 of 2016

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

**COCP No.1700 of 2016
Date of Order: 07.3.2017**

Rattan Singh Mali

....Petitioner

Versus

Ajoy Sharma and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. H.K. Brinda, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Punjab.

JASWANT SINGH, J (ORAL)

Services of the petitioner were regularized as Mali-cum-Chowkidar in the Department of Water Supply and Sanitation, Punjab w.e.f 07.10.2005, in terms of Regularization Policy dated 23.1.2001. The petitioner, who is stated to have retired on 31.5.2007, on attaining the age of superannuation, filed a writ petition bearing CWP No.8481 of 2013 claiming for counting of half of his previous period of engagement as daily wage worker towards pensionary benefits, in view of the decision rendered in CWP No.2371 of 2010 titled **Harbans Lal Vs. State of Punjab and Others, decided on 31.8.2010**, which was disposed of on 30.10.2013 allowing the petitioner to the limited extent in the light of **Harbans Lal's case (supra)**.

Upon notice, reply has been filed on behalf of the State submitting that the previous period of engagement of the petitioner as daily wage worker, in the light of **Harbans Lal's case (supra)** has been counted towards grant of pensionary benefits and consequently all the retiral benefits have since been released.

In view of the stand of the respondent-State, counsel for the petitioner agrees that no further action is warranted.

In view of aforesaid, present contempt petition is disposed of as having become infructuous and the rule is discharged. However, the petitioner would be at liberty to revive the contempt petition, in case, there is any factual discrepancy in the stand of the State.

March 07, 2017
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No