

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

**CWP No.13032 of 2017
DECIDED ON: August 01, 2017**

KAMLA DEVI

.....PETITIONER

VERSUS

**HARYANA VIDYUT PRASARAN NIGAM
LTD. AND ANOTHER**

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, the petitioner has sought issuance of a writ especially in the nature of mandamus, directing the respondents to count the work-charge service/contract service followed by regular service for the purpose of increments and retiral benefits in view of the service conditions, instructions, rules especially Punjab Civil Services Rules as adopted by respondent-corporation and various judgments governing the present case and consequently making an entry in the service book as well as to held the said service is countable towards pensionary benefits especially in view of the law laid down and to extend the benefit of the judgment as granted in respect of similarly situated persons while deciding Civil Appeal No.1772 of 2009 titled as “The

State of Haryana v. Kesho Ram and others and “Dakshin Haryana Bijli Vitran Nigam and others v. Bachan Singh” decided on 30.07.2009 (Annexure P-7) which has been implemented vide letter dated 05.04.2010 and 14.07.2010 respectively, wherein directions have been issued to recast the service book and include the said service towards pensionary and consequential benefits and to grant the benefits flowing out of the instructions by the respondents/government from time to time especially 11.06.1974 (Annexure P-13) and 07.01.2012 (Annexure P-15).

2. The contention of learned counsel for the petitioner is that similarly situated persons earlier moved this Court through CWP No.14449 of 2011 (O&M), captioned as “**Chiranjil Lal and others v. Haryana Vidyut Prasaran Nigam Ltd., and another**”, which has since been disposed of vide judgment dated 26.05.2015 but the benefit has not been disbursed to the petitioner. The husband of the petitioner has been taken away by the nature on 29.06.2005. Otherwise also, the petitioner served legal notice dated 09.02.2017 (Annexure P-10) to the respondents but neither any conscious decision has been taken so far nor any response has been given to the said legal notice.

3. Taking into consideration the aforesaid aspect of the case but without expressing any opinion on merits, the instant petition is disposed of with the direction to respondent No.1-Haryana Vidyut Prasaran Nigam Ltd. through its Managing Director, Panchkula, to look into the grievances unfolded by the petitioner in her legal notice dated 09.02.2017 (Annexure P-10) and to decide the same in accordance with law pertaining to judgment passed in CWP No.14449 of 2011 (O&M) dated 26.05.2015, within a period of 3 months from

the date of receipt of certified copy of this order .

August 01, 2017
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*