

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

**CWP No. 19582 of 2017  
DECIDED ON: AUGUST 31, 2017**

**DHARAM PAL**

**.....PETITIONER**

**VERSUS**

**UHBVN Ltd. & OTHERS**

**.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present:    Mr. Naveen Daryal, Advocate  
                 for the petitioner.

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**JASPAL SINGH, J (ORAL)**

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of writ in the nature of mandamus directing the respondents to count the daily wager service as a qualifying service for the purpose of pensionary benefits w.e.f. 01.10.1978 to 01.06.1987 and further the work charge service w.e.f. 02.06.1987 to 23.10.1990 followed by regular service as a RTM. The petitioner is entitle to count the services alongwith all consequential benefits and the petitioner is also entitle the interest on the delay payment @ 18% per annum as per the Government notification dated 20.02.2002 from the date of accrual till the date of realization.

2.            Learned counsel for the petitioner submits that though a legal notice dated February 03, 2016 (Annexure P-3) was served upon the respondents but till date no action has been taken. He further submit that he feels satisfied in

case a direction is issued to respondent No.2 to decide the legal notice dated February 03, 2016 (Annexure P-3) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in his legal notice dated February 03, 2016 (Annexure P-3) and to decide the same in view of judgment passed by Hon'ble Apex Court in the case of **Dakshin Haryana Bijli Vitran Nigam & others vs. Bachan Singh; 2009 (14) SCC 793** (Annexure P-5) as well as judgment of this Court rendered in CWP No. 22127 of 2013 titled as **Ishwar Singh vs. Uttar Haryana Bijli Vitran Nigam Ltd. & others;** decided on October 05, 2013 (Annexure P-4), within a period of three months from the date of certified copy of this order. However, if the petitioner still feels aggrieved he shall be at liberty to approach this Court.

AUGUST 31, 2017  
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(JASPAL SINGH)  
JUDGE

Whether speaking/reasoned      Yes/No

Whether reportable                  Yes/No