

CWP No. 26055 of 2017

DECIDED ON: NOVEMBER 15, 2017

LAKHMI RAM

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. N.S. Behgal, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of writ especially in the nature of mandamus directing the respondents to count the daily wages period i.e. 1979 to 23.06.1987 and work charge period i.e. 24.06.1987 to 26.08.1990 as qualifying service for the pensionary benefits and to grant 1st ACP for which he becomes entitled in the year 1990 by granting the same, re-fix the pension of the petitioner and other pensionary benefits and also grant interest @18% per annum on the amount recalculated after re-fixing the pension, ACP and other pensionary benefits in view of letter dated 25.11.2013 (P-1).

2. At the very outset, it has been submitted by learned counsel for the petitioner that though a representation dated July 24, 2015 (P-2) was made by the petitioner, which did not fetch any reply. Petitioner constrained to serve

legal notice dated February 17, 2017 (P-3) upon the respondents, which also did not fetch any response. He further submits that he feels satisfied in case a direction is issued to the respondents to consider and decide the afore-said legal notice (P-3), within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in his legal notice (P-3) and to decide the same in accordance with law by passing a speaking order, within a period of three months from the date of receipt of certified copy of this order. The respondents are also directed to consider the claim of the petitioner in the light of judgment rendered by Full Bench of this Court in the case of A.S. Randhawa vs. State of Punjab & others; 1997 (3) SCT 468.

4. However, if the petitioner still feels aggrieved of the order passed by the concerned authority, he shall be at liberty to approach this Court.

NOVEMBER 15, 2017
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>