

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

LPA No.1750 of 2017 (O&M)

Date of Decision : 15.11.2017

Haryana Vidyut Prasaran Nigam Limited
and others

....Appellants

Versus

Babu Ram

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

Present : Mr.Padamkant Dwivedi, Advocate
for the appellants.

MAHESH GROVER, J. (Oral)

CM-3767 & 3768-LPA-2017

Delay of 112 days in filing and 54 days in re-filing the
appeal is condoned.

CMs stand allowed.

CM-3769-LPA-2017

Learned counsel states that an application was made before
the learned Single Judge for impleading the legal representatives of
the deceased respondent but ostensibly due to oversight it was not
decided. In our opinion, no purpose would be served in remitting the
case back, therefore, we take it upon ourselves to allow the
application for impleading the legal representatives of the deceased
respondent and take the Memo of Parties on record.

LPA No.1750 of 2017 (O&M)

The appellants are in appeal against the judgment of the

learned Single Judge dated 01.12.2016 entitling the deceased employee to the benefit of pension. Prior to his engagement as a regular employee with the appellants he was engaged on workcharge basis for a considerable long time which period was accepted by the learned Single Judge as valid for the purpose of commuting the pension in view of the Full Bench judgment of this Court as also other precedents. There would thus be no quarrel with this proposition. Once this period as workcharge followed by regular employment is reckoned, the employee would be entitled to pension as he had rendered qualifying service which would entitle him to the benefit of pension thus rendering the consequences of resignation inconsequential.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

15.11.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No