

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.15616 OF 2015
DECIDED ON: FEBRUARY 21, 2018

JASBIR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Akshay Sandhir, Advocate for
Mr. V.K. Sandhir, Advocate,
for the petitioner.

Ms. Deepali Puri, Additional Advocate General, Punjab.

Mr. Sanjeev Soni, Advocate,
for respondent No.3.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Article 226/227 of the
Constitution of India, petitioner has sought following relief:-

- (i) *issue a writ in the nature of mandamus directing the respondents to produce the complete record of the case;*
- (ii) *issue a writ in the nature of mandamus directing the respondents to count the work charge & temporary service period of the petitioner from 05.12.1975 to 6.01.1991, rendered under Punjab Water Supply & Sewerage Board and Municipal Corporation for the purpose of pensionary benefits, because further service of the petitioner was*

regularized from 07.01.1991 by Municipal Corporation, Amritsar and the petitioner superannuated as regular employee on 28.02.2007.

(iii) issue a writ in the nature of mandamus directing the respondents to pay the difference of pay/pension, arrear and other accruing benefits on counting the work charge period of the petitioner for pensionary benefits.”

2. At the very outset of the arguments, it has been submitted by learned counsel for respondent No.3 that Municipal Corporation, Amritsar is ready to consider the legal notice and pass an appropriate orders.

3. At this juncture, learned counsel for the petitioner has also stated that he has no objection, in case, direction is issued to respondent No.3-The Commissioner, Municipal Corporation, Amritsar to consider his claim put forth in the legal notice dated 01.06.2015 (Annexure P-1) and pass an appropriate order.

4. In view of the consensus arrived at between the parties, the instant petition is disposed of with the direction to respondent No.3-The Commissioner, Municipal Corporation, Amritsar to consider the grievances unfolded by the petitioner in his legal notice dated 01.06.2015 (Annexure P-1) and decide the same, in accordance with law, Service Rules and particularly in view of judgment rendered by this Court in **CWP No. 1996 of 2001**, captioned as **“Harjinder Singh vs. State of Punjab”**, 2003(4) RSJ 458, by passing a speaking order. It would be appreciable, if the needful is done within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner still feels aggrieved against any of the order(s) passed by the

Commissioner, Municipal Corporation, Amritsar, he shall be at liberty to have recourse to the other remedies available under law including the filing of writ petition.

FEBRUARY 21, 2018
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(JASPAL SINGH)
JUDGE

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