

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.16215 OF 2018
DECIDED ON: JULY 06, 2018

MUKESH KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajesh K. Dadwal, Advocate
for the petitioner.

JASPAL SINGH, J.

By virtue of instant petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to count the work charge period towards pensionary benefits and revised pensionary benefits and pay all consequential benefits along with 18% interest as the case of the petitioner is covered by the Full Bench judgment of this Court in case “Kesar Chand v. State of Punjab, 1988, AIR 265 and also covered by LPA No.189 of 2004, State of Punjab and ors. v. Mukhtiar Singh, 19.04.2011 (P-2) and further pay gratuity & EPF amount along with interest @ 18%.

2. At the very outset of the arguments, learned counsel for the petitioner contends that though legal notice dated 09.02.2018 (P-3) was duly served upon the respondents but till date neither any reply to the said legal notice has been received nor any conscious decision has been taken by the

respondents.

3. Learned counsel for the petitioner further submits that he feels satisfied in case direction is issued to respondent(s) to decide legal notice (P-3) in a time bound manner.

4. Accordingly, instant petition is disposed of with a direction to respondent(s) to consider legal notice (P-3) and to take a conscious decision within a period of three months from the date of receipt of a certified copy of this order.

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority concerned, he shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

JULY 06, 2018
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(JASPAL SINGH)
JUDGE

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