

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

Sr. No.103-b

Civil Writ Petition No.25850 of 2017
DECIDED ON: February 16, 2018

RAM KUMAR

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Narinder Singh Behgal, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to count the work charge period w.e.f. 01.05.1968 to 30.10.1977 towards the qualifying service and to fix the pension by counting the same with arrears along with interest @ 18% per annum.

2. The contention of learned counsel for the petitioner is that work charge period rendered by the petitioner from 01.05.1968 to 30.10.1977, has not been counted towards his pension and pensionary benefits in terms of Instructions dated April 18, 2014. On June 29, 2017 (P-2), petitioner served a legal notice upon the respondents but till date neither the legal notice has been decided by the respondents nor any reply is received from the

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respondents. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the above said legal notice (P-2) within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents No.2 to look into the grievances unfolded by the petitioner in the legal notice dated June 29, 2017 (P-2) and to take a final decision as per rules, regulations, instructions dated 18.04.2014 issued by the UHBVNL, Panchkula as well as paramters laid down in *Kesar Chand & ors. vs. State of Punjab & ors. , 1988(5) SLR 25*, within a period of four months from the date of receipt of a certified copy of this order. In case, concerned authorities do not concur with the relief(s) sought by the petitioner through the legal notice, then pass a speaking order considering all the aspects referred to above legal notice and in that event, petitioner shall be at liberty to have recourse to other remedies available under the law or to approach this Court.

February 16, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No