

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

CWP No.2596 of 2017 (O&M)

Date of Decision: 23.04.2018

Kirpal Singh

. . . Petitioner

Versus

Pepsu Road Transport Corporation and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioner.

Mr. Vishal Moudgill, Advocate
for the respondent.

Jaspal Singh, J. (Oral)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, two reliefs have been claimed quashing of the order dated 26.11.2014 (Annexure P-6) vide which recovery of Rs.28,800/- has been ordered to be deducted out of the amount of the gratuity after the retirement of the petitioner. Further he seeks mandamus direction of counting of past service rendered by the petitioner prior to the joining of service in the Pepsu Road Transport Corporation (for short 'Corporation') as qualifying service for pensionary benefits.

In so far as the first relief is concerned, the writ petition stood dismissed as is evident from the order dated 13.02.2017, whereby the order dated 26.11.2014 (Annexure P-6) was upheld. As regards, the second relief with regard to counting of service, it is evident from the

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award dated 24.01.1997 (Annexure P-2) annexed with the petition and referred in reply filed by the respondents, past service rendered by the petitioner has already been counted towards the qualifying service period and thus, the petitioner has accordingly held to have served the department for a period of 14 years 7 months and 27 days as has been claimed in the instant petition.

Thus, no further cause of action survives for the continuation of the instant petition.

Dismissed as having been rendered infructuous.

[JASPAL SINGH]
JUDGE

April 23, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No