

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-29788-2018

Date of decision: - 27.11.2018

Har Lal

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Nafees Ahmad Khan, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Present writ petition has been filed by the petitioner with a prayer that the work charge service of the petitioner from 17.08.1982 till 11.09.2014, when the petitioner was relieved from services, should be counted as a qualifying service for the grant of pensionary benefits.

There is nothing in the writ petition to show that the petitioner's services were ever regularized before he was relieved on 11.09.2014. Only regular employee is entitled for the pensionary benefits and not the person who was working on work charge basis. As there is no order for regularization, the claim of the petitioner for the grant of pensionary benefit cannot be entertained and therefore, the prayer which

has been made by the petitioner for treating the work charge service from 17.08.1982 till 11.09.2014, without being regularization of service, is liable to be rejected, at this stage.

Counsel for the petitioner states that the petitioner was entitled for regularization of his services in view of the recommendation made by the District Education Officer, Mewat on 04.09.2014.

Be that as it may, there is no prayer in the present writ petition for the regularization of services of the petitioner and further, he has not made any such request/representation to the respondents for regularization of his services. The claim has been made by the petitioner for the grant of pensionary benefits is rejected at this stage. However, the petitioner is granted the liberty to raise his claim with the respondents in respect of regularization of his services.

In case any representation is filed for the above-said purpose, the authorities concerned shall pass an appropriate order on the said representation for regularization within a period of three months.

It is made clear that this Court is not expressing any opinion on the merits of this case or the claim for regularization is being made by the petitioner.

In view of the above, present writ petition stands disposed of.

November 27, 2018
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No