

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

**CWP No. 3766 of 2018
DECIDED ON: FEBRUARY 17, 2018**

HARCHARAN SINGH

.....PETITIONER

VERSUS

**PUNJAB WATER RESOURCES MANAGEMENT & DEVELOPMENT
CORPORATION LTD. & OTHERS**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajat Garg, Advocate, for
Mr. SPS Tinna, Advocate
for the petitioner.

JASPAL SINGH, J. (ORAL)

1. By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to release the benefit of service rendered by him as work-charge employee in the respondent-department towards pension and other benefits, in view of the judgment passed by Hon'ble Apex Court in Civil Appeal No. 4903 of 2009 as well as in view of judgment passed by this Court in CWP No. 19123 of 2010 with further direction to release the handicapped allowance, medical re-imbursement and other arrears.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on August 31, 2010 on attaining the age of superannuation. Though, the department regularized the services of the petitioner but he was not given any benefit from the period w.e.f. 04.11.1978 to 31.03.1994. He further submits that the work charge period rendered by the petitioner in the respondent department prior to his service of the department, as regular employee has not been counted as qualifying service, however, he is entitled to get the benefits of pension after counting the work-charge service rendered by him in the respondent-department. Petitioner made several representations including representation dated 10.05.2016 (P-7) but till date no conscious decision has been taken. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the afore-said representation (P-7) within a time bound manner.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in his representation (Annexure P-7) and to take a conscious decision according of law, rules and regulations as well as in view of the judgments referred in para 1 of this judgment, within a period of four months from the date of receipt of a certified copy of this order.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.

February 17, 2018

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Whether speaking/reasoned Yes/No.

Whether reportable Yes/No

(JASPAL SINGH)
JUDGE

