

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.114

Civil Writ Petition No.4011 of 2018
DECIDED ON: February 20, 2018

RASHMI

..PETITIONER

VERSUS

MUNICIPAL CORPORATION THROUGH ITS COMMISSIONER,
SECTOR 17, CHANDIGARH AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashok Sharma Nabhewala, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through 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 count the daily wage service towards pension and pensionary benefits with all consequent benefits along with interest and also grant the increments on completion of 8, 16, 24 years of service.

2. The contention of learned counsel for the petitioner is that earlier petitioner filed the CWP No.4440 of 2015 captioned as ***Rashmi vs. U.T. Administration and ors.*** which was disposed by this Court with a direction to respondent No.2 to take decision on the representation dated November 16, 2014 (P-5), by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. The

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directions of this Court were implemented vide Order No.107 dated August 25, 2015 but the benefit at par with regular employees was not given. Learned counsel further submits that the petitioner feels satisfied in case a direction is given to respondent No.1, to decide the representation dated November 16, 2014 (P-4), within some specified period.

3. Instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in the representation dated November 16, 2014 (P-4) and to take a conscious decision by passing a speaking order particularly in light of the judgment passed in Civil Appeal No.6779 of 2009 captioned as ***U.T. Chandigarh & anr. vs. Sampat & ors.*** decided on April 03, 2014 (P-6) by the Hon'ble Apex Court, within a period of three months from the date of receipt of a certified copy of this order. In case of non compliance of this order petitioner shall be at liberty to have recourse to other remedies available under the law as well as approach this Court.

February 20, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**