

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

**CWP No. 6431 of 2018
Date of decision: 15.3.2018**

Daya Nand

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Jai Bhagwan, Advocate
for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. R.K. Doon, AAG., Haryana, present in court, accepts notice on behalf of the respondents. Copies supplied.

In the nature of order I propose to pass, no formal written statement(s)/counter-affidavit(s) on behalf of the respondents are indeed necessary at this stage. Thus, with the consent of the learned counsel for the parties, the petition is being disposed of finally.

The petitioner was employed as Beldar by the respondent-department on 1.2.1980. His services were brought to an end in the year 1987. But the Labour Court held his termination to be illegal, and he was reinstated with continuity of service, and 10% back wages. But, in a writ petition preferred by the petitioner, this Court awarded him full back wages. And since the respondents never questioned the award, it had since become final against them. Subsequently, the petitioner was taken back on duty, and even his services were regularised on 31.3.1993. The limited grievance that he has is; that the respondents be directed to count the service rendered by

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him on work-charge/daily wages basis, for the purpose of pensionary benefits etc. and his service book be also accordingly re-cast and updated. He purports to have even served the respondents with a legal notice dated 11.8.2017 (Annexure P-2). But to no avail.

In response, learned State counsel submits that claim/grievance of the petitioner as also his legal notice, dated 11.8.2017 (Annexure P-2), shall be considered and decided within a period of three months from today. And appropriate orders, in accordance with law, shall be passed.

The petition is accordingly disposed of, in the above terms. In the event, the claim of the petitioner is declined, the authority shall pass a comprehensive order assigning reasons in support thereof.

15.3.2018
Ak Sharma

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO