

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 2279 of 2019

Date of Decision : 28.01.2019

Om Parkash

...Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the claim being made by the petitioner is for counting the work-charge service rendered by him as a qualifying service for the grant of pensionary benefits.

As per the averments made in the writ petition, the petitioner was appointed as T-Mate on 29.12.1981. His services were regularized on 21.05.1985. Thereafter he was promoted as ASSA on 29.04.2003.

The claim of the petitioner is that the benefits of the said service, which he had rendered on work-charge basis, have not been given to him while calculating the pensionary benefits. The petitioner has placed reliance upon a decision of Full Bench of this Court in ***Kesar Chand Vs. State of Punjab, 1988(2) PLR 223.***

From the averments made in the writ petition, it transpires that

the petitioner has served upon the respondents a legal notice dated 18.11.2018 (Annexure P-3) and as per the averments made in the writ petition, the said legal notice is still pending consideration with the respondents.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 18.11.2018 (Annexure P-3) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

January 28, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*