

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4005 of 2019

Date of Decision : 14.02.2019

Swaran Singh and others

...Petitioners

Versus

Pepsu Road Transport Corporation, Patiala

...Respondent

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Vikas Chatrath, Advocate for the petitioners.

Harsimran Singh Sethi, J.(Oral)

In the present case, the grievance which has been raised by the petitioners is that they are entitled for computing of qualifying service from the date when they joined their service and not from the date when the contribution of provident fund was deducted. Petitioners are relying upon law laid down by this Court directing that the employees are entitled to count the total service for computing pensionary benefits. Service rendered even prior to the date when the contribution towards provident fund was deducted, will be taken into account for computing pensionary benefits with the conditions that employees have to deposit contribution for the period for which it was not deducted.

Counsel for the petitioners states that for the relief which has been claimed in the present petition, the petitioners have served a legal notice on 17.12.2018 (Annexure P-6), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in

case a time bound direction is given to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 17.12.2018 (Annexure P-6) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.

Present writ petition stands disposed of.

February 14, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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