

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6633-2019

Date of decision: - 12.03.2019

Mahabir Singh and another

....Petitioners

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sandeep Singal, Advocate,
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioners is that they were appointed on daily wage basis in 1985 and 1980 respectively.

Counsel for the petitioners states that services of the petitioners were regularized in May, 1993, but they have not been granted the benefit of adhoc service, which they have rendered, as a qualifying service, for computing the pensionary benefits. In support of his submission, counsel for the petitioners relies upon a judgment of Full Bench of this Court in **Kesar Chand Vs. State of Punjab and others'**, **AIR 1988 Punjab 265**, wherein, it has been held that Adhoc service prior to the regularization of service is to be taken into account as a qualifying service for computing the pensionary benefits.

Counsel for the petitioners further states that for the relief which has been sought in the present writ petition, the petitioners have served the respondents with a legal notice on 22.11.2018 (Annexure P-5), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued 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 or the claim being made by the petitioners in the legal notice, the respondents are directed to decide the legal notice dated 22.11.2018 (Annexure 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. 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.

(HARSIMRAN SINGH SETHI)
JUDGE

March 12, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No