

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

(121)

CWP-7283-2019

Date of Decision: March 18, 2019

Karnail Singh

.. Petitioner

Versus

Punjab State Power Corporation Ltd and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajesh K. Dadwal, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that the period for which the petitioner has worked as work charged employee from 24.06.1987 till 20.02.2001 has not been taken into consideration as a qualifying service for the grant of pensionary benefits.

Learned counsel for the petitioner states that as per the settled principle of law settled by the Full Bench of this Court in **Kesar Chand Vs. State of Punjab, 1988 (5) SLR 27**, the work charge service rendered by an employee is to be counted for the grant of pensionary benefits.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served upon the respondents with a legal notice dated 23.05.2018 (Annexure P-2) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 23.05.2018 (Annexure P-2) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in

the legal notice dated 23.05.2018 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 23.05.2018 (Annexure P-2) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to him within three months thereafter.

March 18, 2019

harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No