

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 8325 of 2019

Date of Decision : 28.03.2019

Ajit Singh

...Petitioner

Versus

Bhakra Beas Management Board and others

...Respondents

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

Present: Mr. Jasmer Singh Rozera, 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 work charge service which the petitioner had rendered from 08.02.1983 till 31.10.1990 has not been taken into consideration as a qualifying service for the grant of the pensionary benefits.

Learned counsel for the petitioner states that in view of the settled principle of law settled by the Full Bench of this Court in ***Kesar Chand Vs. State of Punjab and others, 1988(2) PLR 223***, the work charge service prior to the regularization is to be taken as a qualifying service for the grant of pensionary benefits. Learned counsel for the petitioner further states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 05.07.2016 (Annexure P-8) 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 by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the relief claimed 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 05.07.2016 (Annexure P-8) 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.

March 28, 2019

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned? Yes

Whether reportable? No