

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.10022 of 2019

DATE OF DECISION:16.10.2019

Swarn Jit Kaur

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. N.S. Behgal, Advocate
for the petitioner.

Mr. B.R. Mahajan, Advocate General of Haryana with
Mr. Hitesh Pandit, Advocate
for the respondents.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that initially the husband of the petitioner was appointed in HSMITC on 31.10.1973, where he worked on work charge basis till 30.06.1989. Thereafter, husband of the petitioner worked from 01.07.1989 till 15.05.1992 on work charge basis in the Haryana State Electricity Board after which his services were regularised. The claim of the petitioner is that the work charged service rendered by the late husband of the petitioner from 01.07.1989 till 15.05.1992 rendered in H.S.E.B. is liable to be counted as qualifying service for computing the pensionary benefits keeping

in view the settled principles of law settled by a Full Bench of this

Court in **Kesar Chand and others Vs. State of Punjab and others**,
AIR 1988 Punjab 265.

Counsel for the petitioner prays that a direction be issued to the respondents to grant the benefit in respect of the service rendered by the late husband of the petitioner including the revised benefits as well as revised family pension.

Learned counsel for the petitioner 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 16.04.2018 (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 16.04.2018 (Annexure P-2) by passing an appropriate speaking order.

Keeping in view the advance copies given, Mr. B.R. Mahajan, Advocate General of Haryana with Mr. Hitesh Pandit, Advocate appears on behalf of the respondents.

Counsel for the respondents states that the respondents have no objection in deciding the legal notice of the petitioner in a time bound manner as being prayed by the counsel for the petitioner.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 16.04.2018 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 16.04.2018

(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 on the representations, the same should also be paid to her within three months thereafter.

October 16, 2019

jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable : Yes / No