

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

(128)

CWP-10741-2019

Date of Decision: April 25, 2019

Balbir Singh

.. Petitioner

Versus

Punjab State Power Corporation Limited and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None 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 01.01.1988 till 30.12.1998 has not been taken into consideration as a qualifying service for computing the pensionary benefits of the petitioner.

In order to support his claim, reliance has been placed on the judgment/decision of Full Bench of this Court in **Kesar Chand Vs. State of Punjab, 1988 (5) SLR 27**, wherein, a direction was issued that the work charge service followed by regular service rendered by an employee is to be treated as a qualifying service for computing the pensionary benefits.

From the averments made in the writ petition, it transpires that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 05.03.2019 (Annexure P-4) and interest of justice will be served at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice 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 05.03.2019 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 05.03.2019 (Annexure P-4) 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.

April 25, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No