

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

CWP-11896-2019

Date of decision: - 06.05.2019

Tega Singh

....Petitioner

Versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Virinder S. Shukla, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance of the petitioner is that he was initially appointed on work charge basis as T-Mate with the respondents on 08.08.1977 and he continued worked as such, when his services were regularized on 04.04.1987 as Assistant Lineman. Petitioner retired from service on 31.12.2014 while working as Lineman.

The grievance raised in the present writ petition is that the service which the petitioner had rendered from 08.08.1977 till 03.04.1987 on work charge basis has not been taken into consideration as a qualifying service for computing the pensionary benefits.

Counsel for the petitioner states that the said action of the respondents is contrary to the law laid down by the Full Bench of this Court in **Kesar Chand Vs. State of Punjab and others'**, AIR 1988 Punjab 265.

Counsel for the petitioner states that appropriate direction be issued to the respondents to count the service which the petitioner had rendered from 08.08.1977 to 03.04.1987 on work charge basis as a qualifying service for computing the pensionary benefits.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, petitioner has served the respondents with a demand notice on 07.03.2019 (Annexure P-3), which is still pending consideration with the respondents and the petitioner 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 petitioner, the respondents are directed to decide the legal notice dated 07.03.2019 (Annexure P-3) 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 petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

May 06, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No