

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 13829 of 2019
Date of Decision : 23.05.2019

Amar Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. B.K. Bagri, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance of the petitioner is that petitioner was appointed on daily wages basis in July, 1987 and he continued working as such till his services were regularized w.e.f. 01.04.1993. Ultimately, petitioner retired from service on 30.04.2014 but the pensionary benefits were only been sanctioned by taking into account the regular service and not the daily wages service, which according to the petitioner is contrary to 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.***

Learned counsel for the petitioner prays that a direction be issued to the respondents for treating daily wage service as a qualifying service for the grant of the 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 the respondents with a legal notice dated 19.03.2019 (Annexure P-4) 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 19.03.2019 (Annexure P-4) 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.

May 23, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*