

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 12970 of 2019
Date of Decision : 16.05.2019

Sardari Lal

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashok Sharma Nabhewala, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the claim of the petitioner is that he had rendered ad-hoc service from 08.01.1982 till 31.03.1985 as a Diesel Pump Attendant and his services were regularized w.e.f. 01.04.1985 and the petitioner continued working with the respondents till he retired from service on attaining the age of superannuation on 30.09.2011.

Learned counsel for the petitioner argues that the period of ad-hoc service has not been counted as a qualifying service for computing the pensionary benefits of the petitioner, which 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 states that for the relief, which has been claimed in the present writ petition, the petitioner has made representations dated 05.07.2017 and 02.08.2018 (Annexures P-6 and P-7)

respectively to the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the representations 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 claim prayed in the present writ petition or in the representations, 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 representations dated 05.07.2017 and 02.08.2018 (Annexures P-6 and P-7) respectively within a period of three months from the date of receipt of certified copy of this order.

The writ petition stands disposed of.

May 16, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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