

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

(115)

CWP-13813-2019

Date of Decision: May 23, 2019

Jaspal Singh

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. A.P. Kaushal, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance of the petitioner is that three year service which the petitioner rendered from 23.03.1985 till 01.10.1988 on daily wage basis prior to the regularization of the service of the petitioner has not been taken into account as a qualifying service for the grant of pensionary benefits.

Learned counsel for the petitioner relies upon the judgment of the full Bench of this Court in **Kesar Chand Vs. State of Punjab, 1988 (5) SLR 27,** to contend that daily wage service followed by regular service is to be taken into account as a qualifying service for computing the pensionary benefits and the action of the respondents in not granting the petitioner the benefit of daily wage service while computing the pensionary benefits is contrary to the settled principle of law.

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 representation (Annexure P-10 Colly.) and the

petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the representation (Annexure P-10 Colly.) especially that last representation dated 20.03.2018 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 representation (Annexure P-10 Colly.), the present writ petition is disposed of with a direction to the respondents to decide the representation (Annexure P-10 Colly.) 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 representation, the same should also be paid to him within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

May 23, 2019
harsha

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