

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 14951 of 2019
Date of Decision : 29.05.2019

Bachiter Singh and others

...Petitioners

Versus

Pepsu Road Transport Corporation

...Respondent

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Baljinder Singh, Advocate for the petitioners.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance which is being raised by the petitioners is that their total length of service has not been taken into account for the grant of pensionary benefits. The service for which the contribution was not deducted by the respondents, has not been treated as a qualifying service keeping in view the Rule 6 of the Pepsu Road Transport Corporation Employees (Pension/Gratuity) General Provident Fund Regulations, 1992. Learned counsel for the petitioners argues that the said Rule has already been interpreted by this Court more than once and a direction has been issued in the case of similarly situated employees that their total length of service should be taken as a qualifying service for the grant of pensionary benefits subject to condition of deposit of provident fund for the period the same was not deducted and hence, respondents are liable to be directed to grant the petitioners the benefit of total length of service as a qualifying service for computing the pensionary benefits.

Learned counsel for the petitioners states that for the relief, which has been claimed in the present writ petition, the petitioners have served the respondents with a legal notice dated 02.04.2019 (Annexure P-6) and the petitioners 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 petitioners 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 petitioners in the legal notice dated 02.04.2019 (Annexure P-6) 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 petitioners are entitled for any monetary benefits, the same should also be released to them within a period of next three months.

The writ petition stands disposed of.

May 29, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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