

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-17632-2019

Date of decision: - 22.07.2019

Satyawan

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Amit Arora, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The petitioner joined the Forest Department, Haryana, in the year 1985 on daily wages and he continued working as such till 30.09.2003, when his service was regularized w.e.f. 01.10.2003. Thereafter, he continued working till 31.12.2017, when he retired on attaining the age of superannuation.

Counsel for the petitioner argues that the benefit of the service, which the petitioner had rendered from 1985 till 2003, has not been extended to him by treating it as a qualifying service for the grant of pensionary benefits, though, as per the settled principle of law settled by a Full Bench of this Court in **Kesar Chand Vs. State of Punjab and others'**, AIR 1988 Punjab 265, the daily wage service, which is duly followed by the regularization, is liable to be counted as a qualifying service for the grant of pensionary benefits.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, petitioner has submitted a representation (Annexure P-1) in the month of September, 2018, 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 representation.

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 representation (Annexure P-1), if the same has been received by them, 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

July 22, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No