

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-17944-2019

Date of decision: - 05.07.2019

Rattan Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Manmeet Singh Rana, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance which is being raised in the present writ petition is that period for which the petitioner remained out of service i.e. 03.06.1983 to 24.05.1991, has not been taken into account as a qualifying service for the grant of pensionary benefits.

Counsel for the petitioner argues that though while reinstating the petitioner, Labour Court vide award dated 13.11.1990 (Annexure P-1), reinstated the petitioner with continuity, only back wages were denied but the respondents have not taken into consideration the period for which the petitioner remained out of service on the ground that no wages have been paid to the petitioner for the said period and hence, the said period cannot be taken into consideration.

Counsel for the petitioner states that the said act of the

respondents is contrary to the order passed by the Labour Court as the Labour Court had granted the petitioner the benefit of continuity of service and therefore, the said period was liable to be taken into account as a qualifying service for computing the pensionary benefits.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has submitted a representation dated 13.12.2018 (Annexure P-2) to the respondents, 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 dated 13.12.2018 (Annexure P-2) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

July 05, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No