

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-19214 of 2019

Date of decision: 17.07.2019

Satyavan

.... Petitioner

versus

State of Haryana and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajat Mor, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

Counsel for the petitioner relies upon order passed by this Court in CWP No.626 of 2015 titled as **Zile Singh vs. State of Haryana and others** decided on 17.3.2015 to contend that even the service rendered on contractual basis is liable to be counted as qualifying service under Rule 3.17 (ii) of the Punjab Civil Services Rules, Volume II. Counsel for the petitioner argues that the petitioner was initially appointed as driver on 02.03.1994 on contractual basis and he continued working without any break till his services were regularized on 23.08.1998. Counsel for the petitioner further argues that there is no difference in case an employee renders service on daily wages, work charged basis or contractual basis, all of which are to be counted as a qualifying service for grant of pensionary benefits. He relies upon order passed by this Court in CWP-626 of 2015 decided on 17.03.2015 **titled as Zile Singh vs. State of Haryana and others** in this regard, wherein, this Court has held that contractual service is also to be counted as qualifying service for the grant of pensionary benefits.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice dated 29.04.2019 (Annexure P/3), 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 legal notice.

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 legal notice dated 29.04.2019 (Annexure P/3) 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.

(HARSIMRAN SINGH SETHI)
JUDGE

17.07.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |