

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

CWP-19530-2019

Date of decision: - 19.07.2019

Randhir Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jai Bhagwan Tobria, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner argues that order passed by the Account Officer of the Municipal Corporation, declining the benefit of total length of daily wage service from 01.06.1980 till 31.03.1993, is contrary to the rules as Rule 3.17 of the Punjab Civil Services Rules (as applicable to the Haryana) as modified on 14.05.2015, by which the total service rendered by an employee on daily wage basis was to be taken into consideration as a qualifying service for the grant of pensionary benefits.

On being pointed out, as to why the petitioner has not approached the higher authorities i.e. Commissioner, raising his grievance, no answer has come forward, except that other writ petitions, involving the same question of law, are pending before this Court.

The pendency of a writ petition does not justify the action of petitioner not to avail other remedies available to the petitioner under law. Petitioner has to approach the higher authorities against an order which has been passed by an Accountant and petitioner has a remedy to approach the Commissioner, Municipal Corporation, for the redressal of his grievance, bringing to his notice the amendment in the rules, which has been done in the rules in the year 2015, according to which, full daily wage service is to be counted as a qualifying service for the grant of pensionary benefits, which has been ignored by the Accounts Officer while passing the order.

Faced with this situation, counsel for the petitioner states that he may be allowed to withdraw the present writ petition with liberty to the petitioner to approach the Commissioner, Municipal Corporation, for the redressal of his grievance.

Dismissed as withdrawn, with the liberty, as prayed for.

(HARSIMRAN SINGH SETHI)
JUDGE

July 19, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No