

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-19861-2019

Date of decision: - 22.07.2019

Bhan Singh

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Surmukh Singh, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner states that petitioner had worked as an unskilled labourer from 24.07.1989 to 08.03.1998 after which his services were regularized on 09.03.1998.

Counsel for the petitioner argues that the petitioner superannuated on attaining the age of superannuation on 31.07.2018, but the service, which he had rendered from 24.07.1989 till 08.03.1998, has not been taken into consideration as a qualifying service for the grant of pensionary benefits.

Counsel for the petitioner further states that in view of the judgment of the Full Bench of this Court in **Kesar Chand Vs. State of Punjab and others'**, AIR 1988 Punjab 265, the service which an employee has rendered as an unskilled labourer on daily wage basis, is

liable to be counted as a 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, petitioner has served the respondents with a legal notice dated 01.04.2019 (Annexure P-7), 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 01.04.2019 (Annexure P-7) 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 22, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No