

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21932 of 2019

Date of decision: - 21.08.2019

Jai Bhagwan

....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Naveen Daryal, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance which is being raised by the petitioner is that the daily wage service which had been rendered by the petitioner for the period from 01.09.1980 till 01.01.1991 has not been taken into account as a qualifying service for computing the pensionary benefits after the petitioner superannuated from service on 30.04.2019.

Learned counsel for the petitioner argues that keeping in view the law laid down by the Full Bench of this Court in '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265, daily wage service is entitled to be counted as a qualifying service for the grant of pensionary benefits.

Learned counsel for the petitioner states that for the relief,

which has been claimed in the present writ petition, petitioner has served respondents with a legal notice dated 09.05.2019 (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 and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 09.05.2019 (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.

Writ petition stands disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

August 21, 2019
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Whether reasoned/speaking? *Yes*
Whether reportable? *No*