

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22989 of 2019

Date of decision: - 28.8.2019

Ram Nath and others

....Petitioners

Versus

Haryana Vidyut Prasaran Nigam Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Shreya Vasishtha, Advocate for
Mr. Shvetanshu Goel, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance which is being raised by the counsel for the petitioners is that petitioners have rendered daily wage service, the details of which have been given in para 2 of the writ petition, but the said service has not been taken into consideration as a qualifying service for the grant of pensionary benefits, which is contrary to the settled principle of law as settled by a Full Bench of this Court in '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265, wherein it has been held that the daily wage service followed by the regular service is entitled to be counted as a qualifying service for the grant of pensionary benefits. Prayer of the petitioners is for issuance of direction to respondents for granting them the benefit of daily wage service as qualifying service for the grant of pensionary benefits.

Learned counsel for the petitioners states that for the relief, which has been claimed in the present writ petition, petitioners have served the respondents with legal notices both dated 03.06.2019 (Annexures P-4 and P-6), which are still pending consideration with the respondents and the petitioners 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 petitioners, the respondents are directed to decide the legal notices both dated 03.06.2019 (Annexures P-4 and P-6) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.

Writ petition stands disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

August 28, 2019
kanchan

<i>Whether reasoned/speaking?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>