

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.22197 of 2019

DATE OF DECISION:22.08.2019

Dharam Singh and others

... Petitioners

Versus

Haryana Vidyut Prasaran Nigam Ltd. and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: 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 the petitioners were initially appointed on daily wage basis starting from year 1980 and their services were only regularized starting from 1992 till 1993 but despite the fact that the petitioners are entitled for computing the daily wage service rendered by them as qualifying service for the grant of pensionary benefits, the said benefit has not been extended to them, which is contrary to the settled principles of law settled by the Full Bench of this Court in **Kesar Chand Vs. State of Punjab, AIR 1998 Punjab 265.**

The prayer of the petitioners is for issuance of direction to the respondent to compute the daily wage service as a 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 a legal notice dated 03.06.2019 (Annexure P-4) which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to respondent No.3 to decide the legal notice dated 03.06.2019 (Annexure P-4) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 03.06.2019 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.3 to decide the legal notice dated 03.06.2019 (Annexure P-4) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioners are entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to them within three months thereafter.

August 22, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No
Whether reportable : Yes / No