

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

CWP-23259-2019

Date of decision: - 29.08.2019

Gurcharan Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Dinesh Mahajan, 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 work charge-service, which the petitioner had rendered prior to the regularization of his service, has not been counted as a qualifying service for the grant of pensionary benefits.

Counsel for the petitioner argues that the petitioner had rendered daily wage service from 18.11.1989 to 01.11.1993 when his services were regularized and ultimately, he retired on attaining the age of superannuation on 30.11.2004.

Counsel for the petitioner has not been able to satisfy this Court as to why the petitioner has approached this Court after a period of 15 years of his retirement. No explanation has come forward explaining the said delay.

Faced with this situation, 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 17.06.2019 (Annexure P-2), 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 by passing an appropriate speaking order.

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 17.06.2019 (Annexure P-2) 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 petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months. Further, as the petitioner has approached this Court after a period of 15 years, he will not be entitled for interest on the abovesaid period.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

August 29, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No