

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 28943 of 2019

Date of decision : 04.10.2019

Mohinder Singh

....Petitioner

Versus

Pepsu Road Transport Corporation and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jugam Arora, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the benefit of total length of service has not been extended to the petitioner while computing the qualifying service as only the service for which the contribution was deducted towards the contributory provident fund has been taken into account ignoring the settled principle of law settled by this Court more than once and recently while deciding CWP No. 24543 of 2016 titled as ***Gurdial Singh and others Vs. Pepsu Road Transport Corporation and others***, on 27.11.2018. Learned counsel further argues that the benefit which is being sought in the present writ petition has already been extended by the respondents to the similarly situated persons but the same is not being given to the petitioner on the ground that there is no order from the Competent Court of Law directing the respondents to grant the petitioner

the benefit of qualifying service in respect of total service and not only the service for which the contribution was deducted towards the contributory provident fund.

The prayer of the petitioner is for issuance of a direction to the respondents to re-fix the pensionary benefits of the petitioner while calculating the total length of service, which the petitioner had rendered starting from 15.01.1990 till 31.07.2015 and grant the petitioner the arrears.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has made a representation dated 17.01.2019 (Annexure P-9) to the respondents, 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 representation.

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 representation dated 17.01.2019 (Annexure P-9) 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.

October 04, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*