

Sr. No.125

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

**CWP No.30247 of 2019 (O&M)
Date of Decision: 18.10.2019**

Binder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. J.S.Dhaliwal, Advocate,
for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioner herein seeks issuance of a writ in the nature of mandamus directing the respondents to count his daily wages service period prior to his regularization towards qualifying service for the purpose of pensionary/retiral benefits.

2. Learned counsel for the petitioner states that case of the petitioner is squarely covered by the judgment of this Court rendered in ***CWP No.2371 of 2010*** titled as ***Harbans Lal Vs. State of Punjab and others decided on 31.08.2010 (Annexure P-6)***. He further submits that petitioner submitted a representation dated 06.03.2019 (Annexure P-9) to the respondents but the same has not been adverted by the respondents till date. Hence, the present writ petition.

3. Notice of motion.

4. On advance service of the petition, Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.
5. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.
6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the representation dated 06.03.2019 (Annexure P-9) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.
7. Let the needful be done within a period of 2 months from the date of receipt of a certified copy of this order.
8. Disposed of in above terms.

18.10.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No