

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-30215 of 2019

Date of decision: 20.11.2019

Tarsem Kumar Jolly

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

HARSIMRAN SINGH SETHI, J. .

In the present writ petition, the grievance which is being raised by the petitioner is that the petitioner has worked with the respondent-department on temporary/officiating basis for a period of one year, one month and twenty eight days before he was regularly appointed in the year 1983. The grievance of the petitioner is that the service, which he rendered on temporary/officiating basis prior to his regular appointment is not being counted as qualifying service for computing his pensionary benefits by the respondents and keeping in view the law laid down by the Full Bench of this Court in **Kesar Chand vs. State of Punjab and others AIR 1988, Punjab 265**, he is entitled for the benefit of temporary service, which he had rendered for a period of one year, one month and twenty eight days prior to his regular appointment in the year 1983 for computing the pensionary benefits and respondents be directed to grant him the said benefit.

From the pleadings, it transpires that for the relief, which is being claimed in the present writ petition, the petitioner has submitted a representation dated 24.07.2019 (Annexure P/10) with the respondents, which is still pending consideration with the respondents and the interest of justice will be served, in case a time bound direction is issued to the respondents to decide the said representation.

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 representation dated 24.07.2019 (Annexure P/10) 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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

20.11.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |