

Sr. No.122

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

CWP No.31320 of 2019 (O&M)

Date of Decision: 30.10.2019

Bittu

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. M.S.Sarao, Advocate,
for the petitioner.

Mr. Mehardeep Singh, Additional A.G., 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.24472 of 2015*** titled as ***Constable Rajesh Kumar and others Vs. State of Punjab, decided on 07.01.2016 (Annexure P-5)***. He further submits that petitioner caused a legal notice dated 06.09.2019 (Annexure P-4), but the same has not been adverted to by the respondents till date. Hence, the present writ petition.

3. Notice of motion.

4. On advance service of the petition, Mr. Mehardeep Singh, Additional A.G., 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 competent authority-respondent No.1 to objectively consider the legal notice dated 06.09.2019 (Annexure P-4) 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 3 months from the date of receipt of a certified copy of this order.

8. Disposed of in above terms.

30.10.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No