

CWP No. 31466 of 2019

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

CWP No. 31466 of 2019

Date of decision : 31.10.2019

Smt. Usha Rani

....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Naveen Daryal, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that the daily wage service, which she had rendered from 01.04.1981 till 03.05. 1993 before her services were regularized, has not been taken into account as a qualifying service for computing the pensionary benefits.

Learned counsel for the petitioner argues that keeping in view the decision of the Full Bench of this Court in '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265, the daily wage service followed by regularization is to be counted as a qualifying service for computing the pensionary benefits. The prayer of the petitioner is for issuance of a direction to the respondents to grant the petitioner the benefit of daily wage service from 01.04.1981 till 03.05.1993 as a qualifying service and revise the pensionary benefits of the petitioner alongwith

interest.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 27.09.2018 (Annexure P-4), 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.

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 legal notice dated 27.09.2018 (Annexure P-4) 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 her within a period of next three months.

Writ petition stands disposed of accordingly.

October 31, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No