

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-32675-2019

Date of decision: - 13.11.2019

Pat Ram

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Sandeep Singal, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The claim of the petitioner in the present writ petition is that he was appointed as a Driver with the respondents on contractual basis on 25.06.1993 and he continued working as such till his services were regularized w.e.f 01.06.1998 and ultimately, he retired from the same post on attaining the age of superannuation on 30.04.2012. The grievance of the petitioner is that contractual service, which he had rendered from 25.06.1993 till 31.05.1998 has not been taken into account as a qualifying service for the grant of pensionary benefits, which act of the respondents is contrary to the law laid down by a Full Bench of this Court in '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265. The prayer of the petitioner is for issuance of a direction to the respondents to grant him the benefit of contractual service, which he had rendered from 25.06.1993 to 31.05.1998.

Counsel for the petitioner further states that for the relief, which has been sought in the present writ petition, petitioner has served the respondents with a legal notice dated 16.08.2019 (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 or the claim as being made by the petitioner, the respondents are directed to decide the legal notice dated 16.08.2019 (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 him within a period of three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 13, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No