

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 33362 of 2019  
Date of decision : 18.11.2019

Gurcharan Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

***CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present:- Mr. Amrindra Pratap Singh, Advocate for the petitioner.

\*\*\*

**Harsimran Singh Sethi, J. (Oral)**

Learned counsel for the petitioner argues that though the petitioner was allowed the benefit of voluntarily retirement w.e.f. 31.12.2016 but his pensionary benefits have not been computed in a correct manner as the ad-hoc/daily wage service which the petitioner had rendered from 12.09.1983 till 07.09.1989 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 law laid down by this Court in '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265, the ad-hoc/daily wage service, which is followed by regular service, is to be taken into account 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

benefit of ad-hoc/daily wage service rendered by petitioner from 12.09.1983 till 07.09.1989 as a qualifying service for computing the pensionary benefits and the pensionary benefits, which have been extended to the petitioner be revised after the grant of the said benefit and the petitioner be paid the interest.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has submitted a representation dated 09.08.2019 (Annexure P-9) to the respondents, 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 representation.

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 representation dated 09.08.2019 (Annexure P-9) 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.

Writ petition stands disposed of accordingly.

**November 18, 2019**  
*kanchan*

**( HARSIMRAN SINGH SETHI )**  
**JUDGE**

*Whether reasoned/speaking?*    *Yes*  
*Whether reportable?*                *No*