

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

(126)

CWP No. 34710 of 2019

Date of Decision : 28.11.2019

Amarjit Singh

....Petitioner

Versus

The Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. J.S. Jaidka, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that petitioner had initially joined services on work-charge basis in Anandpur Sahib Hydel Project on 02.05.1980, which project was under the Irrigation Department of Government of Punjab at the relevant time but was subsequent taken over by the Punjab State Electricity Board. Learned counsel argues that petitioner continued working in Anandpur Sahib Hydel Project till 31.07.1985 when he was retrenched from service. After being retrenched from service, petitioner joined the Punjab State Electricity Board on daily wage basis again in the year 1996 and the services of the petitioner were made work charge on 26.05.1998 and ultimately, his services were regularized by the respondents. Petitioner retired from service on attaining the age of superannuation on 31.12.2018. The grievance of the petitioner is

that the service which he had rendered from 02.05.1980 till 31.07.1985 and further from the year 1986 till 1998 has not been taken into account as a qualifying service for computing the pensionary benefits. Learned counsel for the petitioner argues that the ad-hoc service, which the petitioner had rendered, is liable to be taken into account as a qualifying service for computing the pensionary benefits in view of the law laid down by the Full Bench of this Court in '**Kesar Chand Vs. State of Punjab and others**', **AIR 1988 Punjab 265** and appropriate direction be issued to the respondents in this regard for the grant of the said benefit.

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 01.08.2019 (Annexure P-5) 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 01.08.2019 (Annexure P-5) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Writ petition stands disposed of accordingly.

November 28, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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