

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-361-2020 (O&M)

Date of decision: - 24.02.2020

Surjit Singh

....Petitioner

Versus

Punjab State Power Corporation Limited and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rimple Saini, Advocate, for the applicant-petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-2391-CWP-2020

Present application has been filed on behalf of applicant-petitioner to place on record accompanying documents as Annexures P-6 and P-7.

In view of the averments made in the application, the same is allowed. Accompanied documents (Annexures P-6 and P-7) are taken on record, subject to all just exceptions.

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The claim of the petitioner in the present writ petition is that the service, which he had rendered on work charge basis from October, 1978 till 12.07.1996 has not been taken into consideration by the respondents as a qualifying service for computing the pensionary benefits after he retired from service on 30.09.2016. The prayer of the petitioner is that keeping in view 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 work charge service, which is duly followed by the regularization, is liable to be counted as a qualifying service for the grant of pensionary benefits and therefore, the respondents are liable to be directed to grant the petitioner the said benefit by re-computing his pensionary benefits and grant him the consequential benefits.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has submitted a representation dated 23.11.2019 (Annexure P -6), which is still pending consideration with respondent No.1 and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.1 to decide the said representation.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.1 is directed to decide the representation dated 23.11.2019 (Annexure P -6) 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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

February 24, 2020
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Whether reasoned/speaking?
Whether reportable?

Yes
No