

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

**CWP No.1722 of 2020 (O&M)
Date of decision : January 23, 2020**

Dharam Chand

..... Petitioner

Versus

The Punjab State Power Corporation Limited and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI J. (ORAL)

The grievance, which is being raised in this petition is that the petitioner had discharged the duties on daily wages as well as on work-charge basis from 27.10.1981 to 08.07.1999, after which the services of the petitioner were regularized. Learned counsel for the petitioner states that the petitioner retired from service on attaining the age of superannuation on 29.02.2012.

Learned counsel for the petitioner further states that the daily wage service and work-charge service, which the petitioner had rendered from 27.10.1981 to 08.07.1999, has not been taken into consideration as qualifying service for computing the pensionary benefits, which action of the respondents is contrary to settled principle of law as settled by the Full Bench of this Court in case of ***“Kesar Chand vs State of Punjab and others”, 1988(5) SLR 27.***

Prayer of the petitioner is for issuance of a direction to the respondents to re-calculate the benefits of the petitioner by taking into consideration the daily wages/work-charge services, rendered by the

petitioner from 27.10.1981 to 08.07.1999 as a qualifying service and grant 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 18.12.2019 (Annexure P-1) with 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 respondent No.1 to decide the same by passing an appropriate speaking order in accordance with law.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the representation dated 18.12.2019 (Annexure P-1), by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

January 23, 2020

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Whether speaking / reasoned

Yes

Whether Reportable:

No