

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CWP No. 2373 of 2020

Date of Decision : 11.02.2020

Yashpal

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Munish Puri, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Though, the petitioner in the present writ petition is claiming that the service rendered in Pong Dam from 04.03.1962 to 30.03.1984 be counted as a qualifying service but at the time of hearing, the said prayer has not been pressed.

Learned counsel for the petitioner argues that petitioner is entitled for counting his work charge service rendered with the respondent-department from 27.10.1985 till 13.03.1996 as a qualifying service for computing the pensionary benefits but the benefits of the said work charge service have not been extended to the petitioner though, the claim of the petitioner is squarely covered by the judgment of the 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 count the work charge service of the petitioner from 27.10.1985 till 13.03.1996 as a qualifying service for computing the pensionary benefits and he be granted consequential benefits.

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 10.12.2019 (Annexure P-2) with the respondents, which is still pending consideration and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 2 to decide the said representation by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, respondent No. 2 is directed to decide the representation dated 10.12.2019 (Annexure P-2) 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.

February 11, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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