

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CWP No. 3267 of 2020

Date of Decision : 06.02.2020

Gurpal Singh

....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)

In the present writ petition, the grievance which is being raised by the petitioner is that the work-charge service rendered by him from 03.08.1985 till 13.03.1996 has not been taken into consideration as a qualifying service for computing the pensionary benefits.

Learned counsel for the petitioner argues that as per the judgment of the Full Bench of this Court in '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265, the work-charge period of an employee rendered prior to the regularization of the services of the said employee, is to be taken as a qualified service for computing the pensionary benefits. The prayer of the petitioner is for directing the respondents to grant him the benefit of work-charge service rendered by him from 03.08.1985 till 13.03.1996 and re-calculate the pensionary benefits and release the arrears to the petitioner.

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 06, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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