

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

CWP-5157-2020

Date of decision: - 26.02.2020

Mohinder Singh

....Petitioner

Versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Kanwaljeet Singh, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner states that the work charge service which the petitioner had rendered from 02.02.1978 to 03.07.1988 has not been taken into account as a qualifying service for computing the pensionary benefits.

Learned counsel for the petitioner argues that keeping in view the settled principle of law settled 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 the petitioner had rendered from 02.02.1978 till 03.07.1988 i.e. prior to the date when the services of the petitioner were regularized, is to be taken into account as a qualifying service for computing the pensionary benefits.

The prayer of the petitioner is for issuance of a direction to the respondents to grant the petitioner the benefit of work charge service which the petitioner had rendered for the above-mentioned period as a qualifying service for computing the pensionary benefit and also grant the arrears alongwith the interest.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has served respondent No.2 with a legal notice dated 06.11.2019 (Annexure P-7), which is still pending consideration with respondent No.2 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 legal notice.

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.2 is directed to decide the legal notice dated 06.11.2019 (Annexure P-7) 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 26, 2020
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Whether reasoned/speaking?	Yes
Whether reportable?	No