

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.6294 of 2020

Date of Decision: 06.03.2020

Chanchal Kumari

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. RK Arya, Advocate for the petitioner

GIRISH AGNIHOTRI, J. (Oral)

(1) The petitioner Chanchal Kumari seeks a direction to the respondents to count her entire daily wage service rendered before regularization as 'qualifying service' for the purpose of pensionary/retiral benefits. A further direction is sought that the petitioner be held entitled to receive pensionary/service benefits including gratuity, leave encashment and other service benefits as per the old GPF scheme under the provisions of the Punjab Civil Service Rules as applicable to the employees recruited prior to 01.01.2004. Reliance has also been placed on the Division Bench decision dated 31.08.2010 in **CWP No.2371 of 2010 (Harbans Lal vs. State of Punjab & Ors.)** beside other judgments referred to in the headnote of the writ petition passed in the case of similarly situated class-IV employees in identical circumstances.

(2) In this regard, counsel submits that the petitioner has even made a representation dated 05.07.2018 (P11) but no decision has been taken thereupon till date. Learned counsel submits that the petitioner would be satisfied if a direction is given to the respondents to decide her representation in a time bound manner by taking note of all the contentions raised by her in the present writ petition.

(3) Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondent No.2 to consider the petitioner's representation (P11) and decide the same by passing a speaking order in accordance with law within 3 months from the date of receipt of certified copy of this order.

(4) Needless to say that in case the petitioner is found entitled to any monetary benefit, the same shall be paid/released to her within 3 months thereafter.

(5) So ordered.

06.03.2020
Vvishal

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No