

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

CWP-11995-2020(O&M)

Date of decision: 16.12.2020

Kapil Dev

.....Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Vishal Mehta, Advocate for
Mr. Naresh Gopal Sharma, Advocate for the petitioner

Ms. Sunint Kaur, AAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

The petitioner has superannuated from the post of a Peon. He was earlier working on daily wage basis. However, his services were regularized vide order dated 27.9.1991 w.e.f 20.1.1988. The petitioner claims that he is entitled to pensionary benefits after counting his regular service from the date of regularization, i.e., 20.1.1988 whereas respondents have given him the pensionary benefits by calculating his regular service from 27.9.1991. He further submits that respondent no.2, i.e the Director, Department of Food and Civil Supplies & Consumer Affairs, Punjab has already recommended the case of the petitioner to the Accountant General (A&E), Punjab who is sitting over the file.

Notice of motion.

Ms. Sunint Kaur, AAG, Punjab accepts notice on behalf of the State of Punjab.

Keeping in view the controversy involved, it is considered

appropriate to dispose of the present writ petition by directing the Accountant General (A&E), Punjab to treat the present writ petition as a representation and decide the same by passing a speaking order within one month from the date of receipt of certified copy of this order. If no order is passed within the stipulated period, the petitioner shall be at liberty to move an application for revival of the present writ petition. However, if the claim of the petitioner is rejected, the petitioner shall be at liberty to file a fresh writ petition.

Disposed of, in above-said terms.

16.12.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No