

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

CWP No. 13474 of 2020
Date of decision 30.09.2020

Balwant Singh

...Petitioner

Vs.

Pepsu Road Transport Corporation

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vikas Chatrath, Advocate,
for the applicant-petitioner.

Ritu Bahri, J. (Oral)

C.M. No. 9962-2020

Application is allowed as prayed for.

Accordingly, Annexure P-6 is taken on record.

C.W.P No. 13474-2020

The claim of the petitioner in the present writ petition is that his qualifying service be counted for grant of revised pensionary benefits w.e.f date of their joining Corporation instead of date of contribution to provident fund by extending benefit of law laid down in CWP No. 8285-2004 titled as ***Ved Parkash vs. State of Punjab and others***, decided on 16.09.2010 (P-2) wherein LPA No. 207-2011 titled as ***PRTC vs. Ved Parkash and another*** was dismissed on 03.02.2011 (P-3). Even SLP filed by P.R.T.C was dismissed on 12.01.2012.

Counsel for the petitioner argues that the said question of law, as raised in the present writ petition, already stands answered by this Court

more than once, wherein the benefit, as being sought in the present writ petition, has already been extended to the similarly situated employees.

Counsel for the petitioner states that a direction be issued to the respondents to grant the same benefit

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner had served the respondents with a legal notice dated 04.02.2020 (Annexure P-6), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents 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 petitioners, respondent No. 1 is directed to decide the legal notice dated 04.02.2020 (Annexure P-6) 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 three months thereafter.

Present writ petition stands disposed of.

30.09.2020

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No