

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-13778-2020 (O&M)

Date of Decision:-7.9.2020

Bhajan Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rimple Saini, Advocate for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

The petitioner was initially appointed in the year 1977 in respondents-department on work charged basis where his services were regularized in the year 1990 as Assistant Lineman (ALM). The petitioner ultimately retired in the year 2008.

The learned counsel for the petitioner contends that the respondents, while working out his pension, have not treated the period from the year 1977 to 1990 as qualifying service and although the petitioner had submitted a representation dated 24.7.2020 (Annexure P-6) but to no avail.

Since there is a delay of about 12 years on part of the petitioner in raking up the issue as regards treating his service rendered on work charged basis as qualifying service, the learned counsel for the petitioner has

fairly submitted that in the eventuality of his claim being accepted by the respondents, he would restrict his claim qua release of arrears to the extent of 38 months prior to filing of the instant petition.

Having heard the learned counsel for the petitioner and while refraining from making any expression as regards merits of the case, the petition is disposed of with a direction to respondent No.2-The Senior Executive Engineer, Kartarpur Division, PSPCL, District Jalandhar, Punjab to look into the matter and to dispose of the representation dated 24.7.2020 (Annexure P-6) in accordance with law expeditiously preferably within a period of 3 months from today. In case, anything is found due to be paid to the petitioner, the same be paid within a period of 3 months thereafter i.e. after taking a decision on the representation.

It is clarified that it would be open to the respondents to confine the financial benefits, in case found due to be paid to the petitioner, to a period of 38 months prior to filing of the instant petition.

7.9.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No