

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15131-2020

Date of Decision : 23.09.2020

Bharat Singh.....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. and others Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...

(Through video conferencing)

Present: Mr. Shvetanshu Goel, Advocate
for the petitioner.

...

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed for issuance of a writ in the nature of mandamus directing the authorities to count the daily wage service of the petitioner towards the total length of service as qualifying service for the purpose of pensionary/retiral benefits to him as per his entitlement alongwith arrears thereof with interest @18% per annum.

The petitioner is stated to have joined the respondent Department on daily wage basis on 04.02.1982 and worked as such till 04.05.1993. Thereafter, his service was regularized on the post of work mate on 05.05.1993. The petitioner supperannuated on 28.02.2020 while he was on the post of Lineman. The learned counsel contends that the respondent department erred in not counting the service rendered by him on daily wage basis for the purpose of fixation of his pension and other retiral benefits. Legal Notice dated 02.06.2020 (Annexure P1) was served upon the

respondent-department. However, it failed to evoke any response. In support of his case, the petitioner has placed reliance on CWP-14732-2020.

Notice of motion.

On the asking of the Court, Mr. Pawan Kumar Longia, DAG, Haryana, accepts notice on behalf of the State.

Learned counsel for the petitioner submits that he would be satisfied if a direction is issued to the respondents to consider the legal notice dated 02.06.2020 (Annexure P1) and take appropriate action in the matter within a stipulated time frame.

Learned counsel for the State undertakes that the respondents would consider and decide the legal notice dated 02.06.2020 (Annexure P1) so served by the petitioner and pass a speaking order within six weeks from today in accordance with law.

As a sequel to the above, the present petition is disposed of with a direction to the respondents to consider the claim of the petitioner as contained in legal notice dated 02.06.2020 (Annexure P1) in accordance with law and in case he is found entitled, then to disburse the amount due to him within one month of such order.

23.09.2020
rupi

(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No