

CWP No.24983 of 2015

Date of decision: 23.01.2020

Inder Singh

.... Petitioner

Versus

Maharshi Dayanand University, Rohtak
and another

.... Respondents

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Sandeep Singal, Advocate for the petitioner.
Mr. Amit Rao, Advocate for Mr. Anurag Goyal,
Advocate for the respondents.

B.S. Walia, J. (Oral)

[1] Prayer in the writ petition is for quashing reply, Annexure P/5 dated 22.09.2015 to the legal notice, holding that the services rendered by the petitioner on daily wage basis cannot be counted towards qualifying service for pension and other retiral benefits as also for the issuance of a writ of Mandamus for directing the respondents to count the daily wage service rendered by the petitioner w.e.f. 02.08.1991 to 03.01.2007 towards qualifying service for pension and other retiral benefits and to release pension and other retiral benefits to the petitioner along with interest @ 18% per annum.

[2] Learned counsel states that the claim of the petitioner is covered by the decision of a Division Bench of this Court in **State of Punjab and others v. Mukhtiar Singh, 2012 (4) RSJ 164.**

[3] In the pre-lunch session, learned counsel for the respondents had requested for a pass-over to go over the said judgment. Now, learned

counsel for the respondents concedes that the claim of the petitioner as made in the writ petition is covered by the decision in Mukhtiar Singh’s case (Supra) as relied upon by learned counsel for the petitioner.

[4] In view of the statement of learned counsel for the respondents, the writ petition is allowed in same terms as in Mukhtiar Singh’s case (Supra) i.e. LPA No.189 of 2004 dated 19.04.2011. Respondents would pass appropriate orders and grant relief to the petitioner as per his entitlement by taking into account the decision in Mukhtiar Singh’s case (Supra) within a period of three months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

23.01.2020
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| 1. | Whether speaking/reasoned: | Yes/No. |
| 2. | Whether reportable : | Yes/No. |