

CWP No.5063 of 2017
Date of Decision: 04.02.2020

Shyamo

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. Aman Dhir, Advocate
for the petitioner.

Mr. Gaurav Jindal, Addl. Advocate General, Haryana.

NIRMALJIT KAUR, J. (ORAL)

The prayer in the present writ petition is for directing the respondents to grant pension and other retiral benefits as well as interest on the said delayed payment after calculating of the qualifying service of the petitioner rendered as part time employee.

It is stated that the petitioner was appointed as part time worker on the post of Water-man in the Government School on 02.03.1983. She continued on the said post till 02.08.2005 when she was finally regularized on the post of Water-man. Thereafter, the petitioner retired on 28.02.2014, which was slightly less than 10 years of her period as regular employee. The issue is no more res-integra and is squarely covered by this Court in the case of Jai Bhagwan Vs. State of Haryana and others, CWP No.1048 of 2016, decided on 01.03.2019, which was passed after relying on the judgment rendered by this Court in the case of Zile Singh Vs. State of Haryana and others, CWP No.626 of 2015, decided on 17.03.2015.

Learned counsel for the respondents is not able to distinguish the said judgment.

This Court is satisfied that the matter is squarely covered by the aforesaid judgment.

In view of the above, the present writ petition is accordingly allowed. The petitioner is held entitled for the pensionary benefits under the Old Pension Scheme and further the petitioner will be entitled for computing her service from 02.03.1983 to 02.08.2005 as a qualifying service for the grant of pensionary benefits.

The pensionary benefits shall be computed within a period of two months from the receipt of certified copy of this order and the same shall be released to the petitioner within a period of one month thereafter. In case the needful is not done within the stipulated period of one month, the same shall be payable with interest @ 12% from the expiry of the period of one month.

04.02.2020
sandeep

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No