

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(216)

CWP No. 8666 of 2020

Date of Decision : 22.02.2021

Lakhi Ram

...Petitioner

Versus

Haryana Vidyut Prasaran Nigam Limited and others

...Respondents

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anand Bhardwaj, Advocate for the petitioner.

Mr. Deepak Manchanda, Advocate for the respondents.

Harsimran Singh Sethi J. (Oral)

The present writ petition has been filed seeking a direction to the respondents that the daily wage service which the petitioner had rendered from 01.09.1982 till 07.10.1992 be treated as a valid service to be counted for computing his pensionary benefits.

Learned counsel for the petitioner argues that keeping in view the law laid down by the Full Bench of this Court in '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265, which has been subsequently followed, the work charge service rendered prior to the regularization of the services of an employee is to be treated as a valid service for computing the pensionary benefits.

Learned counsel for the petitioner submits that though notice of motion has been issued in the present petition on 26.06.2020 but for the said prayer, the petitioner has already raised a demand notice dated 23.12.2019 (Annexure P-10), a copy of which has been appended with the present petition and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said demand notice keeping in view the settled principle of law.

Learned counsel for the respondents raises no objection in deciding the demand notice dated 23.12.2019 (Annexure P-10) in a time bound manner by passing an appropriate speaking order keeping in view the settled principle of law.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the demand notice dated 23.12.2019 (Annexure P-10), the present writ petition is disposed of with a direction to the respondents to decide the demand notice dated 23.12.2019 (Annexure P-10) within a period of six weeks from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for the relief after the decision of the demand notice, the same be released to the petitioner within a period of next six weeks.

February 22, 2021
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No