

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

117 - CWP-14022-2021 (O&M)

Date of Decision: 29.07.2021

Sr.Ct.Vinod Mishra & Ors.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. JS Mohri, Advocate for the petitioners

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

Petitioners have filed the present writ petition *inter alia* with a prayer to direct the respondents to count their daily wage service as 'qualifying service' towards pension and to grant all consequential benefits as admissible to other Punjab Government employees recruited prior to 01.01.2004 in view of the law laid down in **CWP No.2371 of 2010 (Harbans Lal vs. State of Punjab & Ors.)** (P6) which is stated to have been upheld by the Hon'ble Supreme Court and followed by this Court in number of cases including in **CWP-24472-2015 (Constable Rajesh Kumar & Ors. Vs. State of Punjab & Anr.)** decided on 07.01.2016 (P7) and **CWP-10376-2014 (Subhash Chand & Ors. Vs. State of Punjab & Ors.)** decided on 30.03.2016 (P8).

In this regard, learned counsel submits that for the same/similar grievance, the petitioners have submitted a representation dated 22.04.2021 (P9).

Notice of motion.

On the asking, Mr. Ayush Sarna, AAG Punjab accepts notice through video conferencing.

At this stage, learned counsel makes a request that the petitioners would be satisfied if a direction is issued to the competent authority to decide the representation in a time bound manner.

Having heard learned counsel for the parties and without commenting upon the merits of the case, the writ petition is disposed of with a direction to the competent authority to consider and decide the claim of the petitioners as contained in the representation (P9) by passing a speaking order within three months from the date of receipt of certified copy of this order.

Needless to say that in case the petitioner(s) is/are found entitled on merits to the claim as raised in the representation, necessary benefits be granted/released to them within two months from the date of decision of the representation.

So ordered.

29.07.2021

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No