

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-980-2021 (O&M)
Date of Decision: 19.04.2022**

Balwan Singh

..... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Sankalp Sagar, Advocate,
for the respondents.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-3923-CWP-2022:

For the reasons mentioned in the application, the same is allowed and the documents, being Annexures P-8 and P-9, are taken on record.

CWP-980-2021:

In the present petition, the petitioner has approached this Court with a prayer that the impugned office order No.160, dated 22.12.2020 (Annexure P-7), vide which the claim of the petitioner for counting his daily wage service as a qualifying service for computing his pensionary benefits has been rejected, be set aside. Further prayer of the petitioner is for

directing the respondents to grant the benefit of daily wage service rendered by him, w.e.f. 1981 to 1993, as a qualifying service for computing his pensionary benefits.

Learned counsel for the petitioner submits that the ground for rejection in the impugned order dated 22.12.2020 (Annexure P-7) is that the respondents did not find any tangible record of the daily wage service rendered by the petitioner from the year 1981 to 1993, but after filing of the present petition, the petitioner has got a record to substantiate his claim that he was working on the daily wage basis with the respondent-Department, w.e.f. 1981 to 1993, and therefore, the petitioner intends to approach the respondents again for the redressal of his grievances, so as to grant him the benefit of the above mentioned service towards computation of his pensionary benefits.

Learned counsel for the respondents submits that in case the petitioner approaches the respondents with tangible evidence with regard to the service rendered by him on the daily wage basis, w.e.f. 1981 to 1993, the appropriate consideration to the said prayer will be given by the authorities concerned, despite passing of the impugned order dated 22.12.2020 (Annexure P-7).

In view of the above, the present petition is disposed of with a liberty to the petitioner to approach the respondent-Department by filing appropriate representation along with the tangible evidence to show that he had discharged the duties of the respondent-Department on daily wage basis, w.e.f. 1981 to 1993, so as to claim the benefit of the said service towards computation of his pensionary benefits and in case, any such representation is received by the respondents, the same be taken into

consideration and an appropriate order be passed by the authorities concerned within a period of eight weeks from the date of receipt of such representation. After passing of the order, in case the petitioner is found entitled for any benefit, the same be also extended in his favour within a period of four weeks thereafter.

19.04.2022*Apurva***(HARSIMRAN SINGH SETHI)****JUDGE**

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