

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129

CWP-4824-2022

Date of Decision :10.03.2022

Pawan Kumar

..Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sushil Saini, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present case, though, the name of the petitioner was recommended by respondent No.3 for promotion to the post of Junior Engineer (Mechanical) but, the said benefit of promotion was not extended to him without any valid justification till the petitioner attained the age of superannuation and retired from service and even after the retirement of the petitioner, his pensionary benefits have not been calculated in a manner required under law as daily wage service and the service which the petitioner had rendered as Plumber w.e.f 08.11.1983 to 02.04.1998 has not been treated as qualifying service for computing his pensionary benefits.

Learned counsel for the petitioner submits that the action of the respondent is totally arbitrary and illegal. Prayer of the petitioner is for issuance of a direction to the respondents to grant the petitioner benefit of promotion to the post of Junior Engineer (Mechanical) as recommended by respondent No.3 with consequential benefits and also for revision of his

pensionary benefits by taking into account the service, which the petitioner had rendered as Plumber w.e.f 08.11.1983 to 02.04.1998.

Learned counsel for the petitioner further submits that though, for the relief, which is being claimed in the present writ petition, the petitioner has already submitted a representation dated 23.10.2020 (Annexure P/3) but, the same is not detailed one hence, a liberty be given to the petitioner to file a fresh and detailed representation with the respondents and a direction be issued to the respondents to decide the said representation in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, who has joined the proceedings through video conference accepts notice on behalf of respondent-State and states that in case any representation is filed by the petitioner raising the grievance as raised by him in the present writ petition, the same will be decided by them by passing an appropriate speaking within a period of 08 weeks from the date of receipt of the said representation.

Learned counsel for the petitioner submits that keeping in view the statement made by learned State counsel, no grievance of the petitioner survives in the present writ petition any further and the same may be disposed of having been not pressed any further.

Ordered accordingly.

March 10, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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