

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114)

CWP No. 8608 of 2022

Date of Decision : 27.04.2022

Karam Singh

....Petitioner

Versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. H.S. Saggu, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the petitioner had rendered service with the respondents from 20.09.1973 to 27.11.1978 on work-charge basis and thereafter his services were regularized but the said period of work-charge service has not been taken into account for computing the qualifying service for calculating the pensionary benefits. Learned counsel submits that the said action of the respondents is contrary to the settled principle of law settled by the Full Bench of this Court in **Kesar Chand Vs. State of Punjab and others'**, AIR 1988 Punjab 265. Learned counsel for the petitioner submits that the grievance raised in the present petition has already been raised by the petitioner in his legal notice dated 21.02.2022 (Annexure P-5), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the legal notice dated 21.02.2022 (Annexure P-5) in a time bound manner by passing an

appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Chetan Goyal, Senior Panel Counsel, who is present in Court, accepts notice on behalf of respondent-PSPCL and raises no objection in deciding the legal notice dated 21.02.2022 (Annexure P-5) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in his representation, respondent No. 2 is directed to decide the legal notice dated 21.02.2022 (Annexure P-5) by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same should also be paid to the petitioner within a period of four weeks thereafter.

Present writ petition stands disposed of.

April 27, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No