

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CWP-9334-2022

Date of Decision :05.05.2022

Rajwinder Kaur

..Petitioner

Versus

Punjab State Power Corporation Ltd and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. B.D. Sharma, Advocate for the petitioner.

Mr. Harsimran Preet Singh, Advocate for the respondents.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the late husband of the petitioner had worked with the respondent-department on daily wage basis as well as on work charge basis but, his services were not regularized by the respondents despite the fact that the person junior to him was regularized by the respondents, which fact is clear from the information supplied to the petitioner under the Right to Information Act, 2005.

Learned counsel for the petitioner submits that once the services of the persons junior to the late husband of the petitioner were regularized starting from the year 2004 onwards, a right accrued with the late husband of the petitioner to get his services regularized and the said right can be pursued by the petitioner after the death of her husband as the petitioner will become entitled for the service benefits. Prayer of the petitioner is for issuance of a direction to the respondents to consider the

claim of the late husband of the petitioner after his death, from the date, person junior to him was regularized with all consequential benefits.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 20.01.2022 (Anneuxre P/5), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the said legal notice by passing appropriate speaking order.

Notice of motion.

Mr. Harsimran Preet Singh, Advocate, who is present in Court, accepts notice on behalf of respondents and raises no objection in deciding the legal notice dated 20.01.2022 (Anneuxre P/5) in a time bound manner by passing an appropriate speaking order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner in legal notice dated 20.01.2022 (Anneuxre P/5), respondent No.2 is directed to decide the legal notice dated 20.01.2022 (Anneuxre P/5) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order. In case after the decision, it is found that the petitioner is entitled for any relief, the same will be extended to her within a period of next four weeks.

Present writ petition stands disposed of.

May 05, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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