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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11139-2022
Date of decision: 23.05.2022

ASHA RAM

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jasbir Singh Mohri, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to count the entire daily wage service rendered by the petitioner (24.09.1993 to 01.10.2019) for the purpose of pensionary benefits and also to permit the petitioner to continue with the General Provident Fund Scheme and the petitioner may be held to be entitled to receive the pensionary benefits as applicable to the employees recruited in the Punjab Government Service prior to 01.01.2004, especially in view of the judgment passed by this Court in *CWP No.2371 of 2010*, titled as “*Harbans Lal versus State of Punjab and others*”, decided on 31.08.2010 (Annexure P-4) . In this regard, a legal notice dated 03.10.2021 (Annexure P-9) has been given by the petitioner to the official respondents, but till date no decision has been taken thereon.

Notice of motion to the official respondents only.

Mr. Pawan Sharda, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of the official respondents and submits that the official respondents will look into the matter and will take a decision on the legal notice of the petitioner. Let sufficient number of copies of the complete paper book be supplied to him during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to the official respondents to decide the legal notice dated 03.10.2021 (Annexure P-9) of the petitioner within a period of six months from the date of receipt of the certified copy of this order, in accordance with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

23.05.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No