

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CWP No. 12430 of 2022
Date of Decision : 01.06.2022

Ishwar Singh

....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Archana Vashisht, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed with a prayer that daily wage service rendered by the petitioner from 01.01.1980 to 25.09.1990 be treated as a qualifying service for computing the pensionary benefits.

Learned counsel for the petitioner submits that the petitioner's services were regularized by the respondents on 25.09.1990 but the service rendered on daily wage basis prior to the said date has not been taken into account as a qualifying service for computing the pensionary benefits, which act of the respondents is contrary to the settled principle of law settled by the Full Bench of this Court while deciding '*Kesar Chand Vs. State of Punjab and others*', AIR 1988 Punjab 265 .

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 14.10.2021

(Annexure P-4), which is still pending consideration with the respondents

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and the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 2 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Raman Kumar Sharma, learned Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-UHBVNL and raises no objection in deciding the legal notice dated 14.10.2021 (Annexure P-4) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondent No. 2 is directed to decide the legal notice dated 14.10.2021 (Annexure P-4), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

June 01, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No