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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-12519-2022  
Date of decision: 01.06.2022

PAWAN KUMAR

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Baljeet Singh Sidhu, 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 a writ in the nature of mandamus, directing the respondents to count the daily wage service of the petitioner rendered before regularization as qualifying service for the purpose of pensionary/retiral benefits and with a further prayer that the petitioner be entitled to pensionary benefits as per the old General Provident Fund Scheme which was applicable to the employees recruited in Punjab Government Service prior to 01.01.2014 in view of the law laid down by this Court in CWP No.2371-2010, titled as *Harbans Lal versus State of Punjab and Others*, dated 31.08.2010.

At this stage, counsel for the petitioner limits his prayer to the extent that the representation dated 28.10.2021 (Annexure P-8), served upon the respondents should be decided expeditiously. He would submit that the

petitioner would be satisfied in case the said legal notice is decided in a time bound manner.

Notice of motion.

Ms. Deepali Puri, Addl. A. G., Punjab, who is present in Court, accepts notice on behalf of the respondents-State and submits that the respondents will look into the matter and will take a decision on the representation of the petitioner. Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to the respondents to decide the representation dated 28.10.2021 (Annexure P-8) of the petitioner within a period of three 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.

**01.06.2022**  
Chetan Thakur

**(JAISHREE THAKUR)**  
**JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*