

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

130

CWP-13272-2022

Date of Decision :04.07.2022

Hari Chand

..Petitioner

Versus

Pepsu Road Transport Corporation and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr.Vikas Chatrath, Advocate for the petitioner.

Mr. Abhilaksh Gaiind, Advocate for respondent-Corporation.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the service rendered by the petitioner with the respondent-Corporation prior to his regularization, has not been taken into account by the respondent-Corporation as qualifying service for computing his pensionary benefits, which action of the respondents is contrary to the settled principle of law, according to which, daily wage service rendered by an employee is to be treated as qualifying service for computing his/her pensionary benefits.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by serving upon them a legal notice dated 28.11.2021 (Annexure P/15), which is still pending consideration with the respondents and the petitioner will be satisfied in case a time bound direction is issued to the respondent No.2 to

decide the said legal notice.

Notice of motion.

Mr. Abhilaksh Gaiind, Advocate, who is present in Court, accepts notice on behalf of respondent-Corporation and raises no objection in deciding the legal notice dated 28.11.2021 (Annexure P/15) 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 legal notice, respondent No.2 is directed to decide the legal notice dated 28.11.2021 (Annexure P/15) 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 petitioner is entitled for any monetary benefits, the same will be released to him within a period of next four weeks.

Present writ petition stands disposed of.

July 04, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No