

S.No.127

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.20345 of 2022

Date of Decision:08.09.2022

Maman

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Surinder Kumar Daaria, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioner submits that the period of daily wage service rendered by him from 01.01.1988 till 30.09.2003 has not been taken into account as a qualifying service for computing his pensionary benefits which is not only contrary to the rules governing the service but also against the settled principal of law settled by this Court in **Kesar Chand Vs. State of Punjab through the Secretary P.W.D, B & R, Chandigarh and others,** hence, the respondents are liable to re-compute the pensionary benefits of the petitioner by giving the petitioner the benefit of daily wage service rendered from 01.01.1988 till 30.09.2003 as a qualifying service.

Learned counsel for the petitioners submits that the grievance which is being raised in the petition, has already been brought to the notice of the respondents vide the representation dated 03.05.2022, a copy of which has been attached as Annexure P.9 and the petitioner will be satisfied in case a direction is issued to the 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. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents- State and raises no objection in deciding the representation dated 03.05.2022 (Annexure P.9) 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 representation, respondent No.2 is directed to decide the representation dated 03.05.2022 (Annexure P.9), by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order.

Present writ petition stands disposed of.

September 08, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No