

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

133

CWP-16747-2022

Date of Decision :01.08.2022

Man Singh

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited
and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shvetanshu Goel, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the daily wage service, which the petitioner had rendered with the respondents w.e.f 01.08.1982 to 07.04.1993 has not been taken into account by the respondents as qualifying service for computing his pensionary benefits. Learned counsel for the petitioner submits that as per the settled principle of law coupled with the rules governing the service, the daily wage service, which an employee renders prior to his/her regularization, is to be treated as qualifying service for computing his/her pensionary benefits. Prayer of the petitioner is for the issuance of a direction to the respondents to treat the daily wage service rendered by the petitioner from 01.08.1982 to 07.04.1993, prior to his regularization, as qualifying service for computing his pensionary benefits.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of

serving a legal notice dated 22.03.2022 (Annexure P/4) upon them, 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. Sandeep Singh Mann, Advocate, who is present in the Court, accepts notice on behalf of respondents and raises no objection in deciding the legal notice dated 22.03.2022 (Annexure P/4) 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 22.03.2022 (Annexure P/4) 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 the petitioner is entitled for any relief, the same will be extended to him within a period of four weeks thereafter.

Present writ petition stands disposed of.

August 01, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No