

**CM No. 12545-CWP-2022 in/and
CWP No. 18215-2022
Date of Decision: 22.08.2022**

Hoti Lal

.....Petitioner

Vs.

Haryana State Agriculture Marketing Board and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. B.K. Bagri, Advocate, for the applicant-petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM No. 12545-CWP-2022

As prayed for, the application is allowed.

CWP No. 18215-2022

In the present petition, the prayer of the petitioner is that the services which the petitioner had rendered on daily wage basis from 09.03.1984 till 01.04.1993 has not been taken into account as qualifying service for computing his pensionary benefits, whereas, keeping in view the rule governing the service, coupled with settled principles of law, the daily wage service, rendered by an employee before the regularization of his services, is to be treated as a qualifying service for computing his pensionary benefits.

Learned counsel for the petitioner submits that the grievance which has been raised in the present petition has already been raised with the respondents though the legal notice dated 01.04.2022, a copy of which has been appended as Annexure P-12 with the petition and the petitioner will be

satisfied, at this stage, if a time bound direction is given to the respondents to decide the same by passing appropriate specific orders.

Notice of motion.

On the asking of the court, Mr. Harish Nain, A.A.G., Haryana, accepts notice on behalf of the respondent-State and raised no objection in deciding the legal notice dated 01.04.2022 (Annexure P-12) 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 01.04.2022 (Annexure P-12), within a period of 02 months by passing a speaking order from the receipt of the copy of this order.

In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for any relief, the same should also be paid to the petitioner within a period of next one month.

Present writ petition stands disposed of.

August 22, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No