

CM-12880-CWP-2022 in/and
CWP No. 18678 of 2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114)

CM-12880-CWP-2022 in/and
CWP No. 18678 of 2022
Date of Decision : 25.08.2022

Ram Kishan

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rohit Mittal, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

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Application is allowed, as prayed for.

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Learned counsel for the petitioner argues that the petitioner had discharged the duties of work charge basis starting from 01.11.1980 till his services were regularized by the respondents on 20.05.1993 but the service, which the petitioner had rendered from 1980 to 1993 has not been taken into account as a qualifying service for computing the pensionary benefits, which act of the respondents is contrary to the rules governing the service as well as settled principle of law. Learned counsel for the petitioner argues that appropriate direction needs to be issued to the respondents to grant the petitioner the benefit of daily wage service for computing the pensionary benefits.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the representation dated 19.05.2022 (Annexure P-2), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to 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 and raises no objection in deciding the representation dated 19.05.2022 (Annexure P-2) 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 19.05.2022 (Annexure P-2), by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after deciding the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same shall be paid to the petitioner within a period of four weeks thereafter.

Present writ petition stands disposed of.

August 25, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No