

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

**CWP-5365-2023**

**Date of decision : 16.03.2023**

**SURMUKH SINGH AND OTHERS**

....Petitioners

Versus

**PEPSU ROAD TRANSPORT CORPORATION**

...Respondents

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

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

**PANKAJ JAIN, J. (ORAL)**

By way of present writ petition filed under Article 226/227 of the Constitution of India, the petitioners are seeking issuance of a writ in the nature of mandamus for directing the respondent to count qualifying service for grant of revised pensionary benefits w.e.f. the date of their joining the Corporation instead of the date of contribution to the provident fund.

2.             Counsel for the petitioners submits that the issue w.r.t. to counting of service of the petitioners w.e.f. date of their joining instead of the date of their contribution towards the Provident Fund *qua* respondent-Corporation already stands finally adjudicated in **CWP No. 8285 of 2004** titled **Ved Parkash Vs. State of Punjab and others** vide order dated 16<sup>th</sup> of September, 2010 which has attained finality up to the Apex Court. He further submits that Legal Notice (Annexure P-3) served at the behest of the petitioners is already pending adjudication before the Authorities. However no decision has been taken as yet.

3. Mr. Chatrath at this stage confines his prayer to the decision thereof.

4. Mr. Rakesh Roy, Advocate appears Mr. Abhilaksh Gaind, Advocate on behalf of respondent-Corporation on advance notice submits that he has instructions to submits that Legal Notice (Annexure P-3) is under active consideration of the Authorities and shall be finally decided within a period of 6 weeks.

5. Finding it to be a fair request, the present petition is disposed off with the direction to the respondent-Corporation to decide the claim of the petitioners as raised vide Legal Notice (Annexure P-3) within a period of six weeks from the date of receipt of certified copy of this order.

6. In case, the petitioners are found entitled for the relief as claimed, the same be released within a period of four weeks thereafter in accordance with the law as laid down in case of **Ved Parkash vs. State of Punjab** (supra). In case, the authorities found that the claim of the petitioners merits rejection, the same shall be decided by passing a speaking order within the time frame as stipulated hereinabove after affording opportunity of personal hearing to the petitioners.

**March 16, 2023**  
**Dpr**

**(PANKAJ JAIN)**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No