

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-26061-2022(O&M)

Date of Order:11.05.2023

SHANKER LAL

.Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Raj Kumar Arya, Advocate
for the petitioner.

Mr. Vikas Arora, AAG, Punjab

ANIL KSHETARPAL, J.C.M.No.18940 of 2022

1. Allowed as prayed for.
2. Annexures P-4 to P-8 are taken on record.

MAIN

3. The petitioner prays for the issuance of a writ in the nature of mandamus to direct the respondents to count his entire daily wage service which he rendered before his regularization towards various benefits including the retiral benefits.

4. On 19.01.2023, the learned State counsel sought time to file the reply but no reply has been filed. The petitioner claims that an identical issue has been decided by the Division Bench in Harbans Lal vs. The State of Punjab and others, (Civil Writ Petition No.2371 of 2010, decided on 31.08.2010).

5. The learned counsel representing the State does not dispute that

fact, however, he submits that the department requires more time to take a decision.

6. The petitioner retired from the Class-IV post. It is evident that the department is dragging its feet in taking decision despite adjournment for a period of approximately 4 months.

7. Keeping in view the aforesaid facts, the writ petition is disposed of while directing the respondents to take a final decision within a period of one month, from today, positively.

8. Till then, the salary of the Additional Chief Secretary and all the IAS officers posted in the Department of Health and Family Welfare including the Director, Health and Family Welfare, Punjab, shall remain stayed till the claim of the petitioner is settled.

9. All the pending miscellaneous applications, if any, are also disposed of.

May 11, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO