

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

CWP-2778-2024

Date of Decision: 08.02.2024

KHAJJAN SINGH

...Petitioner

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner submits that the grievance raised by the petitioner is that his daily wages services w.e.f. 01.06.1990 to 01.10.2003 has not been treated as a qualifying service for computing the pensionary benefits, which was totally arbitrary, illegal and contrary to the law settled by the Full Bench of this Court in **Kesar Chand Vs. State of Punjab and others, AIR 1988 P&H 265.**

2. Learned counsel for the petitioner further submits that appropriate directions needs to be issued to the respondents to grant the petitioner the benefit of daily wages services and re-compute the benefits. He further submits that the petitioner has already raised the said grievance (as raised in the present petition) in the legal notice dated 16.08.2023, copy of which has been appended as (Annexure P-5) but the same is still pending consideration with the respondents, and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.

4. 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 respondent-State and submits that in case, legal notice dated 16.08.2023 (Annexure P-5) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision, the petitioner is found entitled for any benefit, the same will be extended to him within a further period of four weeks and otherwise due reason for not accepting the claim will be mentioned for the information and necessary action.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
(JUDGE)

08.02.2024

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No