

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-6962-2024
Date of decision: 22.03.2024

Balwinder Kaur
.....Petitioner
Versus
State of Punjab and others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. V.K. Shukla, Advocate and
Mr. Ashish Gupta, Advocate
for the petitioner.

AMAN CHAUDHARY. J (ORAL).

1. The prayer in the present Civil Writ Petition filed under Article 226 of the Constitution of India, is to issue a writ in the nature of mandamus, for directing the respondents to count the entire daily-wage service of the petitioner from 15.11.1995 to 15.12.2003.
2. Learned counsel would submit that the daily wage service of the petitioner from 15.11.1995 to 15.12.2003, which was followed by regular service, has not been counted as qualifying service for pensionary benefits, despite the issue having been settled by a Division Bench of this Court in CWP-18841-2007 titled as **Sadhu Singh and others vs. State of Punjab and others**, decided on 25.07.2008, Annexure P-2. In this regard, a legal notice dated 05.01.2024, Annexure P-3, has been served upon the respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting her an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Charanpreet Singh, AAG, Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to consider the legal notice dated 05.01.2024, Annexure P-3 and decide the same taking note of the aforesaid pleas, within a period of six months and if found entitled, necessary benefit be granted to her forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioner therewith.

(AMAN CHAUDHARY)
JUDGE

22.03.2024
Hemant

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