

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CWP-12338 of 2024
Date of Decision:24.05.2024

Uma Shankar Parsad

....Petitioner(s)

Versus

State of Punjab and others

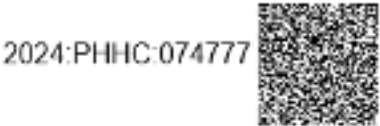
.....Respondent(s)

CORAM: HON’BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Virinder K. Shukla, Advocate, for the petitioner.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari/mandamus quashing the impugned letter dated 04.12.2023, Annexure P-6.
2. Learned counsel for the petitioner submits that the part time service rendered by the petitioner while working as Sweeper has not been counted towards pensionary benefits. The only reason given in the letter dated 04.12.2023, Annexure P-6, is that the judgment dated 01.03.2019 passed in CWP-1048 of 2016, titled Jai Bhagwan vs. State of Haryana and others, has not been generalized, while this Court in a subsequent judgment passed in CWP-10238 of 2017, titled **Jeewan Lata vs. State of Punjab and others**, decided on 10.05.2019, Annexure P-7 has also granted such benefit to another part time Sweeper working in the Department of Education. He submits that in view of the aforesaid judgment, he will submit a fresh representation which



may be directed to be decided.

- 3. Notice of motion.
- 4. Mr. Swapan Shorey, DAG, 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 that in case the petitioner submit a representation the same shall be decided in light of the afore-referred judgment, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to him, and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and the petitioner shall be free to seek legal redress.

(AMAN CHAUDHARY)
JUDGE

May 24, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No