



CWP-21508-2024

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

(115)

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Date of Decision : August 31, 2024

Shadi Ram

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ritesh Aggarwal, Advocate, for
Mr. Sharwan Sehgal, Advocate, for the petitioner.

Mr. Satnam Preet Singh, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance being raised by the petitioner is that the adhoc service rendered by the petitioner from 26.11.1994 to 01.07.2003 is not being treated as qualifying service by the respondents and that too without any valid justification especially when the said benefit is admissible to the petitioner keeping in view the judgment of the Full Bench of this Court in '*Kesar Chand Vs. State of Punjab and others*', AIR 1988 Punjab 265.

2. Learned counsel for the petitioner submits that the respondents be directed to grant the petitioner the benefit of total length of service including the adhoc service/daily wage service for computing the qualifying service and re-compute the pensionary benefits admissible to the petitioner and grant the petitioner the benefit of arrears.

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3. Learned counsel for the petitioner further submits that the grievance raised in the present petition has already been raised by the petitioner in the legal notice dated 26.06.2024 (Annexure P-4) which is still pending consideration with the respondents and the petitioner will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

4. Notice of motion.

5. Mr. Satnam Preet Singh, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

6. Learned counsel for the respondents submits that in case the legal notice dated 26.06.2024 (Annexure P-4) 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 from the date of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision any relief is to be extended to the petitioner, the same will be extended, otherwise due reasons will be mentioned in the speaking order to be passed for not accepting the claim of the petitioner for his information and necessary action.

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



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8. Ordered accordingly.

August 31, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No