



CWP-24583-2024

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

**CWP-24583-2024
Date of Decision: 24.09.2024**

Mohan Singh

..... Petitioner

Versus

Managing Director, Uttar Haryana Bijli Vitran Nigam Ltd. and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to count daily wages/work charge services for the purpose of pensionary benefit/retiral benefits to the petitioner which rendered prior to regularization and benefit kindly be release along with interest.

2. Learned counsel for the petitioner submitted that the petitioner joined the respondent-Nigam as a Daily Wager on 01.10.1981 and his services were regularized on 17.12.1991 and thereafter, he retired but the period during which he rendered his services on daily wage basis has not been counted for pensionary benefits and it is a settled law that the aforesaid service has to be counted for pensionary benefits. He further submitted that for the purpose of the aforesaid grievance, the petitioner has already issued a legal notice dated 28.03.2024 vide Annexure P-9 (wrongly mentioned as Annexure P-8), but no action has been taken in this regard and at this stage,



the petitioner will be satisfied in case his legal notice dated 28.03.2024 (Annexure P-9) is considered and decided by respondent No.2-Chief Engineer Operation Managing Director, UHBVNL, Haryana by passing a speaking order in accordance with law in a time bound manner.

3. Notice of motion.
4. At this stage, Mr. Ashish Yadav, Advocate has caused appearance on behalf of the respondents-Nigam and submitted that he has not received the copy of the legal notice.
5. However, learned counsel for the petitioner undertakes to supply another copy of the legal notice to the learned counsel for the respondents during the course of day.
6. Learned counsel for the respondents stated that he has no objection, in case, a direction is issued to respondent No.2 for considering and deciding the legal notice dated 28.03.2024 issued by the petitioner vide Annexure P-9 in accordance with law and within a fixed time framework.
7. In view of the aforesaid position, without calling for the reply from the respondents and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2-Chief Engineer Operation Managing Director, UHBVNL, Haryana to consider and decide the legal notice dated 28.03.2024 issued by the petitioner vide Annexure P-9 strictly in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

24.09.2024

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No