



CWP-30257-2022 with 7 other connected cases

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

CWP-30257-2022
Date of Decision: 16.09.2024

Om Parkash Petitioner
Versus

Dakshin Haryana Bijli Vitran Nigam Ltd. and others Respondents

CWP-3809-2023

Ram Avtar Petitioner
Versus

Haryana Vidyut Prasaran Nigam Ltd. and others Respondents

CWP-3833-2023

Bhagwat Dayal Petitioner
Versus

Haryana Vidyut Prasaran Nigam Ltd. and another Respondents

CWP-3864-2023

Hoshiyar Singh Petitioner
Versus

Dakshin Haryana Bijli Vitran Nigam Ltd. and others Respondents

CWP-3882-2023

Rohtash Petitioner
Versus

Haryana Vidyut Prasaran Nigam Ltd. and others Respondents

CWP-3963-2023

Dhani Ram Petitioner
Versus

Haryana Vidyut Prasaran Nigam Ltd. and others Respondents

CWP-3969-2023

Rajbeer Petitioner
Versus

Haryana Vidyut Prasaran Nigam Ltd. and another Respondents



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CWP-4015-2023

Bal Kishan

..... Petitioner

Versus

Haryana Vidyut Prasaran Nigam Ltd. and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. B.K. Bagri, Advocate,
for the petitioners (in all cases).

Mr. Bhupinder Gupta, Advocate for
Mr. G.S. Madaan, Advocate,
for the respondents in CWP-30257-2022 &
CWP-4015, 3809, 3882, 3969-2023.

Mr. Arvind Seth, Advocate,
for the respondents in CWP-3833-2023.

Mr. Abhishek Singla, Advocate,
for the respondents in CWP-3864 & 3963-2023.

JASGURPREET SINGH PURI, J. (ORAL)

1. All the petitions have been filed under Article 226/227 of the Constitution of India and are being taken up together for final disposal with the consent of the learned counsels for the parties, since an identical point of law is involved in all the cases.

2. Both the learned counsels for the parties have stated that the prayer in these petitions is for counting the services rendered by the petitioners as daily wager in the respondent-Nigam for the purpose of their pensionary benefits.

3. Learned counsels for the respondents have submitted that the respondents are not averse for granting the benefits of earlier services rendered by the petitioners as daily wager for the purpose of their pensionary benefits but for that purpose, the petitioners have to give an affidavit that

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they have actually worked for that period.

4. On the other hand, learned counsel for the petitioners stated that all the petitioners are ready and willing to furnish such affidavit to the respondent-Nigam but he has instructions to state that the respondent-Nigam is also compelling the petitioners to furnish an affidavit that they will waive off the interest which should not be permitted.

5. After hearing the learned counsels for the parties and in view of the aforesaid statement made by the learned counsels for the parties, the present writ petitions are disposed of. In the event of the petitioners furnishing such affidavits with regard to the period of service which they have rendered on daily wage basis, the respondents shall thereafter pass an order pertaining to the counting of their services for the purpose of pensionary benefits in view of the settled law within a period of 3 months thereafter.

6. Needless to say that the respondents shall not compel the petitioners to waive off their rights of interest.

16.09.2024*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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