



CWP-32051-2024

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113

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

**CWP-32051-2024
Date of Decision: 28.11.2024**

Alam Singh

..... Petitioner

Versus

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

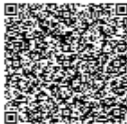
CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 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 rendered by the petitioner prior to his regularization for the purpose of pensionary benefits/retiral benefits and the benefits be released to him along with interest.

2. Learned counsel for the petitioner submitted that the petitioner joined the respondent-Nigam as Chowkidar on a daily wage basis on 17.01.1980 and his services were regularized on 20.03.1990 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 had already issued a legal notice dated 21.05.2024 vide 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 21.05.2024 (Annexure P-8) is considered and decided by respondent No.2-Chief Engineer, Uttar Haryana Bijli Vitran Nigam Ltd., Panchkula by passing a speaking order in accordance with law in a time bound manner.

3. Notice of motion.
4. On the asking of the Court, Ms. Rajni Gupta, Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and states that she has no objection, in case, a direction is issued to respondent No.2 for considering and deciding the legal notice dated 21.05.2024 issued by the petitioner vide Annexure P-8 in accordance with law and within a fixed time framework.
5. 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/competent authority to consider and decide the legal notice dated 21.05.2024 issued by the petitioner vide Annexure P-8 strictly in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

28.11.2024
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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