

CWP-19135-2021 (O&M)

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2025:PHHC:169953



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

CWP-19135-2021 (O&M)

Date of decision: 04.12.2025

SAT PAL

... Petitioner

Vs.

UTTAR HARYANA BIJLI VITRAN NIGAM AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. B.K. Saini, Advocate
for the petitioner.

Mr. Piyush Khanna, Addl. A.G., Haryana.

Mr. Bhupinder Kumar, Advocate for
Mr. G.S. Madaan Singh, Advocate
for the respondents.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing the office communications dated 30.09.2019 (Annexure P-2), dated 25.11.2019 (Annexure P-3) and 14.01.2020 (Annexure P-7) issued by respondent No.2 whereby the claim of the petitioner for counting of his daily wage service from 01.09.1981 to 24.12.1992 before the regularisation of services for the purpose of pensionary benefits has been denied and further to



issue a writ in the nature of mandamus directing respondent Nos.4 and 5 to verify the daily wages service period i.e. 01.09.1981 to 12.12.1992 of the petitioner and also to direct respondent No.2 to issue the necessary orders to re-compute his pensionary benefits etc.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner joined the service with the respondent corporation as Helper on daily wage basis on 01.09.1981 and served till 24.12.1992. Thereafter, the petitioner's services were regularized and he was made an T-mate and Assistant Foreman (AFM), and subsequently, he retired on 31.10.2018. Further, the case of the petitioner is squarely covered by a judgment rendered by the full Bench of this Court in ***Kesar Chand Vs. State of Punjab and others*** and judgment dated 31.08.2010 passed by the Division Bench of this Court in ***Harbans Lal Vs. State of Punjab, CWP No.2371 of 2010***.

3. Learned counsel for the respondents submit that the claim raised by the petitioner has not been processed in the absence of the documents. However, the co-employees in the identical circumstances, have been granted the benefit of the same period for which the petitioner has rendered daily wage service. Learned counsel for the respondents could not controvert the fact that the respondents are the custodian of the service record of the petitioner

4. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

5. On 12.07.2024, learned counsel for the respondents submitted



that now, since some documents have been supplied by the petitioner, decision will be taken in this regard considering the aforesaid documents within four weeks. Needful has not been done inspite of passing of 16 months since dated 12.07.2024.

6. In view of the above, the present petition is disposed of with a direction to decide the claim of the petitioner in the light of ***Harbans Lal's case (supra)*** within a period of eight weeks and admissible benefits be granted forthwith alongwith interest @ 6% per annum till its actual realisation.

7 It is further made clear that any deviation from the direction issued by this Court would entitle the petitioner to move an appropriate application under Article 215 of Constitution of India for initiating the contempt of court proceedings.

8. Needless to say, if the petitioner is found entitled to the relief sought, the same be granted to him forthwith.

04.12.2025

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[**HARPREET SINGH BRAR**]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No