



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

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**CWP-28913-2025 (O&M)
Date of decision: 25.09.2025**

Lekh Raj

....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Munish Mittal, Advocate
and Mr. Ankit Kamboj, Advocate
for the petitioner.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing/setting-aside the order dated 15.05.2025 (Annexure P-7) whereby respondent No.3 withdrew the office order No.47 dated 21.03.2016, vide which the services rendered by the petitioner as daily wage worker, i.e. from December, 1978 to 14.06.1987, was counted towards pensionary benefits. The said action resulted in reduction of the pension of the petitioner from Rs.33,474/- to Rs.32,201/-.

2. Learned counsel for the petitioner, *inter alia*, contends that on 02.07.1976, the petitioner joined service of respondent-Nigam on daily wages and he was regularized on 28.08.1988. Thereafter, he retired on 30.06.2014. Initially, the past service rendered by the



petitioner as a daily wage worker was not counted towards qualifying service for pension. Aggrieved by the same, the petitioner agitated his claim by filing a writ petition i.e. CWP-5163-2021. Reluctantly, the gratuity and arrears accrued towards pension were released to the petitioner recently in the year 2024. However, no interest was paid on delayed payment. Subsequently, the petitioner approached this Court again by filing a writ petition i.e. CWP-28543-2024, seeking payment of interest on delayed disbursement of his retiral dues. However, the respondents on receiving notice in the said writ petition passed the impugned order dated 15.05.2025 (Annexure P-7), discounting the services rendered by him as a daily wage worker from December, 1978 to 14.06.1987. He further submits that respondents have passed the impugned order dated 15.05.2025 (Annexure P-7), as a counterblast to the writ petition bearing no.CWP-28543-2024 preferred by the petitioner with an oblique motive to wreck vengeance upon him. The act and conduct of the respondents is laden with *mala fide* and aims at denying the petitioner his legal rights out of personal spite.

3. Notice of motion.

4. Mr. Prince Singh, Advocate who is present in the Court accepts notice on behalf of the respondents and submits that the grievance of the petitioner will be duly addressed by passing a fresh speaking order.

5. This Court is *prima facie* satisfied with the arguments advanced by the learned counsel for the petitioner. It transpires that the



respondent-Nigam has abruptly withdrawn the benefits of services rendered as a daily wage worker only for the petitioner and not any other employee. The retiral dues were also released to him after much litigation, about a decade post retirement. The conduct displayed by the respondent-Nigam is indicative of personal vendetta harboured by it against the petitioner. As such, the respondent-Nigam cannot be allowed to strong-arm the petitioner since he is well within his rights to claim interest on delayed disbursement of the retiral dues accrued to him in view of the judgment rendered by a Full Bench of this Court in *A.S. Randhawa Supg. Engineer (Retd.) vs. State of Punjab 1998 (1) SCT 343*.

6. Accordingly, the present petition is disposed of and the impugned order dated 15.05.2025 (Annexure P-7) is set-aside. The respondents are directed to consider the grievance of the petitioner afresh and pass a speaking order in this regard within a period of 08 weeks from the date of receipt of certified copy of this order.

(HARPREET SINGH BRAR)
JUDGE

25.09.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No