

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

**CWP No. 1654 of 2013
Date of decision:11.04.2016**

Veena Rani

..Petitioner

Versus

State of Punjab & Ors.

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sharwan Sehgal, Advocate
for the petitioner.

Mr. Vaibhav Sharma, DAG, Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(ORAL)

Heard, learned counsel for the parties.

The reply filed by the State contesting the writ petition does not appear to logic as to why the period served by petitioner from 18.09.1979 to 31.05.1981 as a Clerk against a temporary post in the office of Deputy Commissioner, Ludhiana should not be clubbed with the service as Clerk, thereafter from 11.12.1981 onwards only for the reason that there is a break in service between 31.05.1981 to 11.12.1981. This break in service in the same post in the same office should not go against the petitioner for clubbing both the periods towards qualifying service for pension. The difference is only 6 months and 11 days. The break deserves to be ignored on principles of equity.

The petition is allowed. Both the periods are clubbed with the period of break. Pension and pensionary benefits are directed refixed accordingly and paid to the petitioner within six weeks from the receipt of certified copy of this order.

The writ petition is allowed.

**(RAJIV NARAIN RAINA)
JUDGE**

April 11, 2016
Poonam (II)