

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

**CWP No.26679 of 2013 (O&M)
Date of decision : September 30, 2016**

Ajaib Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Nirmal Singh, Advocate for the petitioner.

Mr. R.S. Pathania, DAG, Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Petitioner joined the service as J.B.T. Teacher against the leave vacancy on adhoc basis on 15.01.1980 and worked as such till 21.08.1984. Thereafter, from 22.08.1984 to 30.09.2008, he served as J.B.T./Head Teacher against vacant and sanctioned post. His services were regularized as J.B.T. Teacher on 09.10.1987. The petitioner retired from service as head teacher on 30.09.2008.

In the present petition, the prayer is for counting the adhoc service rendered by the petitioner from 15.01.1980 to 21.08.1984 as qualifying service for the purpose of pensionary benefits.

I have heard learned counsel for the parties and have also carefully gone through the case file.

The matter was considered by this Court in CWP No.27146 of 2013, titled as ***“Gurinder Kaur vs State of Punjab and others”***, decided on 02.08.2016, wherein a similar case, the service rendered against leave

vacancy was ordered to be counted for grant of pensionary benefits. The

said order was passed after examining the Instructions of the Punjab Government dated 26.10.1995.

The said authority is directly applicable to the facts of the present case.

Hence, the present petition is allowed. The respondents are directed to count the service of the petitioner rendered against leave vacancy from 15.01.1980 to 21.08.1984 for the grant of pensionary benefits and release the revised pension and other pensionary benefits with interest @ 9% per annum within three months from the date of receipt of copy of this order.

(KULDIP SINGH)
JUDGE

September 30, 2016

sarita

Whether speaking / reasoned Yes

Whether Reportable: No