

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

(1)

**CWP No. 10934 of 2019
Date of Decision : 29.04.2019**

Baljinder Kaur

...Petitioner

Versus

Punjabi University, Patiala and another

...Respondents

(2)

CWP No. 10980 of 2019

Beena Kumari

...Petitioner

Versus

Punjabi University, Patiala and another

...Respondents

(3)

CWP No. 11002 of 2019

Parmjot Kaur

...Petitioner

Versus

Punjabi University, Patiala and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ranjivan Singh, Advocate for the petitioner(s).

Harsimran Singh Sethi, J.(Oral)

By this order, three writ petitions bearing CWP No. 10934 of

2019, CWP No. 10980 of 2019 and CWP No. 11002 of 2019, which involve the same question of law and similar facts, are being disposed of, the details of which have been mentioned in the heading of this order.

The grievance of the petitioner(s) is that prior to the regularization of their services by the respondents-Punjabi University, Patiala, they had worked on daily wage basis and the said daily wage service has not been taken into account while computing the pensionary benefits of the petitioner(s).

Learned counsel for the petitioner(s) states that only the benefit of service after the regularization of the services has been extended to the petitioner(s), which is not correct keeping in view the law laid down by the Full Bench of this Court in ***Kesar Chand Vs. State of Punjab and others, 1988(2) PLR 223***, according to which, the petitioner(s) are entitled for the benefit of daily wage service be counted in total length of service for computing their pensionary benefits. In order to support of the said claim, petitioner(s) are also relying upon the instructions, which have been issued by the Government of Punjab dated 23.02.2012, which according to the petitioner(s) has already been adopted by the Punjabi University, Patiala for implementation of the same upon its employees.

Notice of motion.

At the asking of the Court, Mr. Ajaivir Singh, who is present in Court, accepts notice on behalf of the Punjabi University, Patiala and very fairly states that the grievance of the petitioner(s) with regard to the counting of their daily wage service for computing their pensionary benefits as well as for the grant of interest on the delayed release of the other

pensionary benefits, an appropriate order will be passed by the University after giving personal hearing to the petitioner(s). He requests that University be given three months' time to pass the said order after giving due opportunity to the petitioner(s) to present their case before the appropriate authority.

Keeping in view the above, without expressing any opinion on the merits of the present case or the claim of the petitioner(s) in the present writ petition, the present writ petition is disposed of with a direction to the Punjabi University, Patiala to pass appropriate order on the claim being raised by the petitioner(s) in the present writ petition for granting of the benefit of daily wage service while computing their qualifying service as well as interest on the delayed release of the payment keeping in view the settled principle of law settled by the Full Bench of this Court in ***Kesar Chand (supra)*** as well as in ***A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468*** within a period of three months as requested by learned counsel for the respondents.

All the writ petitions stand disposed of.

April 29, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*