

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

**CWP-7270-2015 (O&M)  
Date of decision : 14.02.2019**

Saroj Bala

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Sahil Goel, Advocate,  
for the petitioner.

Mr. TPS Chawla, DAG, Punjab.

**JITENDRA CHAUHAN, J.**

Prayer in the instant writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ of Mandamus directing the respondents to grant all the benefits of the service rendered by the petitioner from the date of her initial appointment.

While issuing notice of motion on 21.04.2015, this Court observed as under:-

*“Contends that the matter in issue is squarely covered by the decision rendered by this Court in CWP-18673-2012 (Kewal Singh Vs. State of Punjab and others), decided on 03.11.2014 (Annexure P-5) and, thus, the petitioner being similarly circumstanced and situated as the petitioner in the said case, is entitled to the same relief.*

*Notice of motion.*

*Shri Anshul Gupta, Assistant Advocate General,*

*Punjab, present in Court, accepts notice on behalf of the respondents. Requisite number of copies of the paper book have been supplied to him.*

*Learned State counsel prays for and is granted four weeks' time to file the written statement with an advance copy to the counsel for the petitioner.*

*Adjourned to 25.05.2015.”*

During the pendency of the instant petition, the State of Punjab preferred LPA No.589 of 2015, titled as ***State of Punjab and others Vs. Kewal Singh***, which came to be disposed of on 27.10.2016. The operative part of judgment dated 27.10.2016, reads as under:-

*“[6] It may be seen from the above-reproduced provision of the Rules that if the retiree was holding a permanent post on the date of retirement, his temporary or officiating service rendered in pensionable establishment without any interruption, shall count in full as 'qualifying service'. The word 'temporary' is of wide amplitude and it includes all types of stop-gap services other than regular/permanent service, if rendered in a pensionable establishment. The adhoc service followed by regular or permanent service thus falls within the ambit of 'continuous temporary service' and has to be counted towards 'qualifying service' provided that it was without any interruption in terms of Rule 4.23 of the Rules (ibid). The above-cited Rules have been considered by this Court in a catena of decisions to hold that where adhoc service was followed by regular establishment, such adhoc service shall also be clubbed together with regular service towards 'qualifying service' for the purpose of pension and other retiral benefits.*

*[7] For the reasons afore-stated, the State's appeals are allowed in part and the writ-petitions as well as other connected cases are disposed of in above terms.”*

In view of the above, the instant petition being identical is disposed of in terms of LPA No.589 of 2015 (ibid).

**14.02.2019**  
***atulsethi***

**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking / reasoned :      Yes      No

Whether Reportable :      Yes      No