

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

(256) CWP-29144-2017
Date of Decision: February 27, 2019

Balwinder Kaur .. Petitioner

Versus

State of Punjab and another .. Respondents

(2) CWP-17364-2018

Jagir Singh and others .. Petitioners

Versus

State of Punjab and others .. Respondents

(3) CWP-28151-2018

Majar Singh and others .. Petitioners

Versus

State of Punjab and others .. Respondents

(4) CWP-26361-2018

Nirmal Singh and others .. Petitioners

Versus

State of Punjab and others .. Respondents

(5) CWP-26938-2018

Ajit Singh and others .. Petitioners

Versus

State of Punjab and others .. Respondents

(6) CWP-399-2019

Gurnek Singh .. Petitioner

Versus

State of Punjab and others .. Respondents

(7)

CWP-17898-2018

Charanjit Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Aman Dhir, Advocate,
for the petitioner in CWP-29144-2017.

Mr. B.S. Patwalia, Advocate,
for the petitioner(s) in CWP-17364-2018, CWP-28151-2018,
CWP-26361-2018, CWP-26938-2018, CWP-399-2019 and
CWP-17898-2018.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

By this order, the Civil Writ Petitions bearing No. CWP-29144-2017, CWP-17364-2018, CWP-28151-2018, CWP-26361-2018, CWP-26938-2018, CWP-399-2019 and CWP-17898-2018 are being decided as they involve a common question of law to the effect that whether the service rendered on adhoc basis, for which no contribution was deducted by the respondents, can be taken into account as qualifying service for the grant of pensionary benefits.

Learned counsel for the petitioners states that the present controversy is squarely covered by the decision rendered by this Court in **CWP No.21268 of 2015 decided on 10.12.2018 titled Sukhdev Singh and others Vs. State of Punjab and others.**

Learned counsel for the petitioners states that the same Rule 2(k) of Punjab Samiti and Zila Parishad Employees Pension and Provident Fund Rules, 2000, has been interpreted by this Court to mean that even the

service, which an employee rendered on adhoc basis for which no contribution was deducted, is to be taken into account as a qualifying service for the grant of pensionary benefits subject to the conditions laid down in the said order.

Learned counsel for the respondents states that though there is no reply filed on behalf of the department but on instructions from respondent-department states that the petitioners are being denied the benefit for certain period of service for the grant of pensionary benefits only on the ground that no contribution was deducted from their salary for the said period and therefore the said service cannot be treated as a qualifying service keeping in view the definition as envisaged in Rule 2(k) of the said Rules, 2000.

Learned counsel for the respondents after going through the judgment passed by this Court in **CWP No.21268 of 2015 decided on 10.12.2018**, states that the present writ petitions are covered by the said decision and can be disposed of in terms of the said order.

Keeping in view the above and the prayer made by counsel for the parties, all the writ petitions are disposed of in same terms as **CWP No.21268 of 2015 decided on 10.12.2018, titled as Sukhdev Singh and others Vs. State of Punjab and others.**

February 27, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No