

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

218

CWP-933-2019

Date of Decision: March 15, 2022

Labh Singh

....Petitioner

VERSUS

Punjabi University & others

....Respondents

**CORAM: HON'BLE MR. JUSTICE G. S. SANDHAWALIA
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Ms.Anupam Bhanot, Advocate, for the petitioner.

Mr.Abhishek Kaushik, Advocate, for the respondents.

(The proceedings are being conducted through video conferencing, as per instructions.)

G.S. SANDHAWALIA, J(Oral).

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India is for grant of benefits of counting of daily wage service towards qualifying service at par with the regularly appointed employees, for the purpose of re-fixing the date of regular appointment/joining of the petitioner.

Respondents in their reply have taken the plea that the petitioner joined the University in February, 1995 on daily wages and was later-on appointed on 29.11.2001 as work charge employee and his services were regularized on 12.06.2007. In the affidavit filed by Professor Varinder Kumar Kaushik, Registrar, Punjabi University, Patiala it has also been averred that the benefits will be given to the daily wage/work charge employees who joined service before 01.01.2004 and regularized later-on and their pensionary benefits would be calculated as per the letter No.3/14/2011-3 dated 23.02.2012 of the Government of Punjab, Department of Finance. Further also, it has been conceded that the case of the petitioner is covered and the same would be considered as per the Old Pension Scheme at the time of his superannuation. Relevant portion of the affidavit reads as under:

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“5. The answering respondent in its syndicate meeting on dated 17.08.2020 has taken a decision, in which pensionary benefits will be given to employees, who have joined the University service as daily wage/work charge/ Contract/ Ad-hoc before 09.07.2012 and were regularized thereafter. Copy annexed as ANNEXURE R-4.

So, it is respectfully submitted that keeping in view the decision of syndicate in its meeting dated 14.06.2012 & 17.08.2020 the benefits of service period rendered as daily wages and work charge will be counted in the period of qualifying service and the case of the petitioner is covered and will be considered under the above mentioned decision taken by the syndicate from time to time at the time of his superannuation.

Thereafter, it is respectfully submitted that the case of the petitioner be disposed of on the above mentioned submission. The petitioner will be considered as per old pension scheme at the time of his superannuation.”

Keeping in view the assurance held out by the respondent-University as noticed and reproduced above, counsel for the petitioner does not press the present writ petition and prays that the same may be disposed of, as such.

Accordingly, the present writ petition is disposed of, binding down the respondent-University to its assurance.

**(G. S. SANDHAWALIA)
JUDGE**

**(VIKAS SURI)
JUDGE**

March 15, 2022

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No