

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

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(1) CWP-16417-1999

Mahavir Prasad and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(2) CWP-9978-2000

Gopal Saran and others

...Petitioners

Versus

State of Haryana and others

...Respondents

(3) CWP-18070-2002

Chand Ram and others

...Petitioners

Versus

State of Haryana and others

...Respondents

Date of Decision :20.09.2022

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Subhash Ahuja, Advocate for the petitioners.

Mr. Rajesh Gaur, Addl. A.G. Haryana.

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Harsimran Singh Sethi, J. (Oral)

By this common order, above mentioned three writ petitions are being disposed off as all the writ petitions involve same question of law.

Learned counsel for the petitioners submits that the petitioner's break in service needs to be treated as period spent on duty while computing their qualifying service for the grant of pensionary benefits as the petitioner's services have already been regularized subsequent to the filing of the present petitions.

Learned counsel for the petitioners further submits that the claim of the petitioners is squarely covered by the judgment of this Court passed in **CWP-3254-1999** titled as **Shakuntla Devi vs. State of Haryana** decided on 10.03.1999 hence, the respondents are under an obligation to consider the case of the petitioners for giving them benefit of computing their break period as qualifying service so that the petitioners could get the appropriate pensionary benefits.

Learned counsel for the respondents submits that the said claim of the petitioners will be considered by the competent authority, keeping in view the judgment which is being relied upon by the learned counsel for the petitioner as well as judgment passed by the Division Bench of this Court in **CWP-8715-1994** titled as **Anand Kumar vs. Haryana Urban Development Authority, Manimajra (U.T.), Chandigarh** decided on 13.09.1994 and an appropriate order will be passed within a period of 08 weeks from the date of receipt of copy of this order. In case after the decision, it is found that the petitioners are entitled for any relief, the same

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CWP-9978-2000 and
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will also be extended to them within a period of four weeks thereafter.

Petitions stand disposed off.

A photocopy of this order be placed on the files of connected cases.

September 20, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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