

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

138

CWP-27531-2022

Date of decision: 24.01.2023

HARBHAJAN SINGH

..Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Kumar Walia, Advocate
for the petitioner.

Mr. Vikas Arora, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

The petitioner on attaining the age of superannuation, retired from the post of social science Master in the Punjab State Education Department on February, 2015. He filed a writ petition in the year 2022, which was disposed of on the very first date of hearing while directing the respondents to decide petitioner's claim mentioned in the notice dated 04.03.2022. The impugned order has been passed by the Director of Public Instructions (Secondary Education), Punjab, Chandigarh, pursuant to the aforesaid directions. In substance, the petitioner claims that initially, he served as Area Supervisor in the Punjab Land Development and Reclamation Corporation Ltd., for a period between 15.04.1985 to 22.12.1998, from where he resigned. He prays for counting the period rendered by him in the aforesaid corporation as qualifying service for the purpose of computing his pensionary benefits. Subsequently, on being selected, the petitioner joined the Punjab State Education Department as a Social Science Master on 23.12.1998. It has been observed that the service of the petitioner in the aforesaid corporation was not pensionable.

This Bench has heard the learned counsel representing the petitioner at length and with his able assistance perused the paperbook.

The learned counsel representing the petitioner contends that the aforesaid corporation is a wholly Government owned Company, therefore, the petitioner was a government employee for all practical purposes.

This Court has considered the submissions, however, expresses its inability to accept the same. The employees of a Government Company are not government/civil servants. A company is an autonomous body. Hence, the petitioner cannot claim the benefit of counting of the period served by him in the employment of the aforesaid corporation as a qualifying service for computing the pensionary benefits.

Consequently, no ground to issue the writ, as prayed for by the petitioner, is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

January 24th, 2023

Ay

**(ANIL KSHETARPAL)
JUDGE**

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