

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

**202 RA-CW-305-2018 in
 CWP-6945-2015**

Devi Singh Vs. State of Haryana & others

Present: Mr. Naveen Daryal, Advocate for the
 review applicant-petitioner.

Mr. Deepak Balyan, Addl. A.G., Haryana.

Mr. Amandeep Singh, Advocate for
respondents no.3 & 4.

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Learned counsel for the applicant-petitioner has referred to a judgement of this Court in case of ***Hazura Singh Vs. State of Punjab, 2004(2) SLR 719*** and subsequent judgement passed by this Court on the proposition that as per Rule 3.17 of Punjab Civil Services Rules, Vol. II all service rendered on establishment, interrupted or continuous shall count as qualifying service for the purpose of grant of pension.

In the present case, while passing the order dated 27.8.2018 the writ petition was dismissed only on the ground that vide letter dated 19.3.2014 (Annexure R-3/4) the previous employer of the petitioner i.e. Director General, Industrial Training Department, Haryana had rejected his plea and the previous employer was not ready to discharge the person. As per the judgement referred to above, that stand could not be taken by the previous employer and after rejoining the department this benefit had to be given as per Rule 3.17 of the Punjab Civil Services Rules, as per the two Division Bench as well as one Single Bench judgement of this Court.

Hence the order dated 27.8.2018 is being reviewed and writ petition is being allowed by observing that petitioner has to be given parity

with the case of V.P. Thukral and Hardeep Singh (Annexure P-5) collectively and orders dated 27.1.2014 (Annexure P-6) and 15.5.2014 (Annexure P-7) are set aside. Direction is being given to the respondents to count the ad hoc service of petitioner w.e.f. 9.9.1983 to 16.12.1988 as qualifying service for all intents and purpose for pensionary benefits. Since the petitioner had retired in the year 2013 and he had approached this Court in 2013 itself, he will be given interest @ 9% with effect from the date of filing of the writ petition.

Review Application is disposed of accordingly.

22.12.2023
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(RITU BAHRI)
ACTING CHIEF JUSTICE