



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

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CWP-11801-2022

Date of decision: 12.09.2024

NIPUN CHECKER

...PETITIONER

Vs.

CHANDIGARH ADMINISTRATION AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Harsh Garg, Advocate
for the petitioner.

Mr. Daljeet Singh, Advocate for
Mr. Ajay Jagga, Addl. Standing Counsel and
Ms. Shubreet Kaur, Jr. Panel Counsel-U.T., Chandigarh
for respondent Nos. 1 and 2.

JAGMOHAN BANSAL, J (ORAL)

1. Additional affidavit of respondent Nos. 1 and 2 by way of affidavit of Rubinderjit Singh Brar, Director Technical Education, Chandigarh Administration is taken on record. Registry is directed to tag the same at an appropriate place.

2. Additional submissions on behalf of respondent Nos. 3 and 4 by way of affidavit of R.M. Joshi, Registrar, Punjab Engineering College, Sector 12, Chandigarh are taken on record. Registry is directed to tag the same at an appropriate place.

3. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 25.03.2022 (Annexure P-13) whereby respondents have rejected claim of petitioner to count period of service rendered as ad-hoc employee.



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4. The petitioner joined respondents on 12.11.1984 as ad-hoc lecturer. She was regularized on 24.06.2005. She retired on 30.06.2019 on attaining the age of superannuation. The petitioner claims that her service rendered from 1984 to 2005 as ad-hoc lecturer should be counted for all pensionary benefits. This Court repeatedly has held that ad-hoc service shall be counted for the purpose of pensionary benefit, if an employee is regularized at a later stage.

5. On being confronted with Division Bench judgments of this Court in ‘*Harbans Lal Vs. State of Punjab and others, 2010 SCC Online P&H 8181*’ and ‘*State of Haryana and others Vs. Jai Bhagwan in LPA-1892-2019*’ decided on 26.07.2024, counsel for the respondents expressed their inability to controvert the applicability of judgments to the facts of the present case.

6. In view of judgments of this Court in *Harbans Lal* (supra) as well as *Jai Bhagwan* (Supra), the petitioner is entitled to counting of ad-hoc service towards pensionary benefits.

7. In the wake of afore-cited judgments, petition stands disposed of. The respondents shall also, within 2 months from today, consider case of petitioner for ‘Old Pension Scheme’ in accordance with afore-cited judgments of this Court.

12.09.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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