



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(236)

CWP No. 14663 of 2020
Date of Decision : 07.05.2024

Narata Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioners.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the prayer of the petitioners is for the grant of pensionary benefits keeping in view the fact that the petitioners were working on the post of Chowkidars.
2. In reply, the respondents have stated that the petitioners were working as Chowkidars on agreement of Honorarium and no regular appointment had been given to them, hence, as the petitioners were only working on Honorarium, no pensionary benefits is admissible to the petitioners.
3. There is no replication to the said written statement.
4. I have learned counsel for the respondents and have gone through the reply on record.



5. It may be noticed that the pension can only be given in case, an employee is working on a regular basis and the post on which the employee concerned is working at the time of retirement is a pensionable post. Concededly, the petitioners were working as Chowkidars and were being paid Honorarium and there was no regular appointment, which has been given to the petitioners and under the Haryana Chowkidar Rules, 2011, the Watchmen appointed are only to be granted Honorarium and there is no regular appointment, hence, once the petitioners are not working on regular basis and there is no appointment order issued and only Honorarium is being paid to them for discharging the duties, no ground is made out to accept the prayer of the petitioners to grant them the pensionary benefits.

6. Dismissed.

May 07, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No