



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CWP No. 1959 of 2019 (O&M)

Date of Decision : 31.01.2025

Kulwant Kaushal

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. G.S. Bal, Senior Advocate with
Ms. Gurmeet Kaur, Advocate for the petitioner.

Mr. Solomon Partap Singh, A.A.G., Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present writ petition, the challenge is to the order dated 23.10.2018 (Annexure P-5) whereby, the claim of the petitioner for the grant of pensionary benefits has been rejected.

2. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner had rendered more than two decades of service but, his services were not regularized though as per the Instructions issued by the Government of Punjab in the year 2003, the benefit of regularization of service was required to be extended to the petitioner hence, the respondents are under obligation to consider the petitioner eligible for regularization so that the petitioner can avail the pensionary benefits at this stage of his life, especially when, the employees junior to the petitioner have



already been regularized in service vide order dated 03.12.2019 (Annexure P-6).

3. Learned senior counsel further submits that the question of law raised in the present petition has already been decided by this Court in CWP No. 26714 of 2019 titled as ***Hira Devi and others Vs. State of Punjab and others***, decided on 19.07.2024 hence, claim of the petitioner also be considered in light of the judgment in ***Hira Devi's case (supra)*** in a time bound manner so that petitioner does not suffer any further prejudice.

4. Learned State counsel submits that the claim of the petitioner will be considered for regularization of his services keeping in view the judgment of this Court in ***Hira Devi and others' case (supra)*** by passing a fresh speaking order within a period of eight weeks from the date of receipt of copy of this case and in case, he is found eligible and any of the junior of the petitioner has already been regularized in service, appropriate benefit will be given to him qua regularization of his services so that he can avail the pensionary benefits and in case, the benefit cannot be given, due reasons for arriving at the said conclusion will be mentioned in the speaking order to be passed, which will be conveyed to the petitioner for his information and necessary action.

5. Learned senior counsel for the petitioner submits that in view of the statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.



7. Pending miscellaneous application, if any, also stands disposed of.

January 31, 2025
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No