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

**CWP-1924-2025 (O&M)
Date of decision: 08.09.2025**

Gurdev Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abhishek Singla, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to count the entire services of the petitioner rendered on daily wages before regularization as qualifying service for the purpose of pensionary/retiral benefits and further to grant the pensionary benefits as per Old GPF scheme, which was applicable to the employees recruited in Punjab Government prior to 01.01.2004. It is further prayed that case of the petitioner may be considered in terms of the instructions dated 23.02.2017 (Annexure P-12) as clarified vide notification dated 29.08.2017

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(Annexure P-13) issued by the Government of Punjab and also to consider his case in the light of judgment passed by this Court in CWP-3250-2014 titled as '*Baldev Singh and another Vs. State of Punjab and others*', decided on 14.07.2014 (Annexure P-7), pursuant to which similar relief has been granted to identically placed employees (petitioners in CWP-3250-2014) of Municipal Council, Kotkapura vide order dated 20.11.2015 (Annexure P-8). It is also prayed to direct the respondents to correct/rectify condition No.4 contained in the appointment letter dated 04.04.2012 (Annexure P-2), imposing applicability of 'Contributory Pension Scheme', in view of the settled law and applicable instructions and further to quash the same.

2. Learned counsel for the petitioner submits that the relief, as sought by the petitioner in the present petition, has already been granted to identically circumstances employees of Municipal Council, Kotkapura vide judgment dated 14.07.2014 (Annexure P-7) passed by the Division Bench of this Court in CWP-3250-2014. Learned counsel for the petitioner further relies upon a judgment passed by the Division Bench of this Court in ***Harbans Lal Vs. The State of Punjab and others, CWP-2371-2010***, decided on 31.08.2010, wherein the controversy qua counting of past service of an employee while working on daily wages or on contract basis for calculating the pensionary benefits as per old GPF scheme has already been settled. As such, case of the petitioner is squarely covered by the aforesaid judgments.

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3. Mr. Vikas Arora, DAG, Punjab appears on advance and submits that case of the petitioner would be considered by respondent No.2 in the light of aforesaid judgments.

4. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

5. In view of the facts and circumstances of the case, present writ petition is disposed of and respondent No.2 is directed to consider case of the petitioner in terms of the judgment rendered by the Division Bench of this Court in ***Harbana Lal's*** case (*supra*), from the date, he was initially appointed on contract basis as Tubewell Driver in the year 2000 and to grant all the consequential benefits.

6. All the pending miscellaneous application(s), if any, shall stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

08.09.2025
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No