



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

264+114

CWP-11775-2024(O&M)

Date of Decision : July 23, 2025

DAVINDER SINGH AND OTHERS

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE ROHIT KAPOOR

Present : Mr. Dinesh Mahajan, Advocate for the petitioners.

Ms. Shruti, AAG, Punjab.

Mr. A.S.Kang, Advocate for respondent No.2 to 4.

ROHIT KAPOOR, J. (Oral)

CM-1809-CWP-2025

1. Prayer made in the present application is for placing on record the reply on behalf of respondents No.2 to 4.
2. For the reasons mentioned in the application, the same is allowed and the accompanying reply is taken on record.
3. The office is directed to tag the same at the appropriate place.

Main case

4. Prayer in this writ petition filed by the petitioners under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari, for setting-aside the orders dated 09.12.2019, 24.12.2019, 29.11.2019, 15.01.2020 (Annexure P-2), passed by respondent No.3, as well as the memo dated 16.03.2007 (Annexure P-4), vide which the claim of the

petitioners to count the daily wage services before regularization for the purpose of pensionary benefits, has been rejected. Further a writ of mandamus has been sought for directing the respondents to consider the claim of the petitioners for grant of pensionary benefits by taking into account their entire service including the service rendered before regularization of their services till their retirement and consequently, pay them entire arrears along with interest @ 18% per annum thereon from the due date of said amount till its actual payment.

5. Learned counsel appearing on behalf of the petitioners contends that the issue involved in the present petition stands decided by the judgment of this Court passed in **RSA No.1259 of 2011** titled as “***Punjab State Power Corporation Limited, Patiala Vs. Gurdev Singh***”, decided on 15.03.2011, which has been upheld in **Special Leave to Appeal(C) No.29582 of 2011**, titled as “***Punjab State Power Corporation Limited vs Gurdev Singh***”, decided on 13.02.2024 (Annexure P-7) and also a Division Bench judgment of this Court passed in **LPA No.1998 of 2012**, titled as “***Punjab State Electricity Board (now Punjab State Power Corporation Limited), Patiala vs Malkiat Singh and another***”, decided on 04.12.2012. It is further submitted that the decision rendered in LPA No.1998 of 2012 has also been upheld by the Hon’ble Supreme Court in SLP(C) 23040-2013.

6. Learned counsel appearing on behalf of respondents No. 2 to 4, i.e. contesting respondents does not dispute the abovesaid position.

7. In view of the above, the present petition is disposed of in terms of the judgments of this Court passed in RSA No.1259 of

2011 and LPA No.1998 of 2012. Accordingly, the impugned orders dated 09.12.2019, 24.12.2019, 29.11.2019, 15.01.2020 (Annexure P-2), as well as the memo dated 16.03.2007 (Annexure P-4) are set-aside and the respondent-Corporation is directed to consider the claim of the petitioners in terms of the directions passed by this Court in the aforementioned cases.

8. Disposed of in the aforementioned terms.

July 23, 2025
ajaysharma

(ROHIT KAPOOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No