



CWP-10082-2018

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

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CM-20810-CWP-2024
CM-20811-CWP-2024 and
CM-20812-CWP-2024 in
CWP-10082-2018 (O & M)
Date of decision: 16.01.2025

Baldev Singh and others

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sanjiv Gupta, Advocate,
for the petitioners.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

CM-20810-CWP-2024

Allowed as prayed.

CM-20811-CWP-2024

In view of the grounds mentioned in the application, the same is allowed and the persons mentioned in para 2 of the application are impleaded as legal heirs of petitioner No.2, for the purpose of pursuing the present petition only. Amended memo of parties is taken on record.

CM-20812-CWP-2024

Annexures A 1 to A-3 are taken on record, subject to just exceptions.



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With the consent of learned counsel for the parties, the main case is preponed and taken up on Board today itself.

Disposed of.

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1. Prayer made in the present petition is for quashing the order dated 09.01.2018 (Annexure P-27), vide which claim of the petitioners for computing the entire length of service rendered by the petitioners in PRTC towards retiral benefits i.e. pension, gratuity, leave encashment etc. has been rejected on the premise that the same were their fresh appointments.

2. Learned counsel places reliance on the judgment rendered in **Yash Pal Singh Rana vs. State of Punjab and others**, CWP-2722-2013, decided on 05.02.2019, wherein the petitioner who had rendered service in the Punjab Land Development and Reclamation Corporation Limited, had with prior approval like that was taken by the petitioners herein as well before the PRTC was wound up, was held entitled for counting of the said service, based on the judgments passed in '**Ram Singh and another vs. State of Punjab**, CWP-10008-2006, decided on 23.02.2010. Following the judgment in **Yash Pal Singh Rana (supra)**, similar relief has been granted in CWP-12364-2021, **Sham Lal vs. State of Punjab and others**, decided on 28.08.2024. He, on instructions, prays that a direction be issued to the respondents to re-consider the claim of the petitioners, taking into account the aforementioned judgments, in a time



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bound manner, to which learned State counsel, on instructions, has no objection.

3. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents to re-consider the claim of the petitioners in the light of the aforesaid judgments, within a period of six months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon.

16.01.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No