



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

111

CWP-22232-2025

Date of Decision : August 4, 2025

DILBAGH SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. Daljeet Singh Randhawa, Advocate for
Ms. Ravinder Kaur Manaise, Advocates
for the petitioner.

Mr. Puru Jarewal, DAG, Punjab.

Mr. Vikram Preet Arora, Advocate
for respondent No.3.

ROHIT KAPOOR, J. [Oral]

Present petition has been filed under Article 226 of the Constitution of India, for issuance of a writ in the nature of certiorari, for quashing/modifying the impugned speaking order dated 09.06.2025 [Annexure P-9], passed by respondent No.3, whereby the only partial relief was granted to the petitioner and the period from 21.08.1988 till the date of regularization i.e. 25.07.1991, was not considered towards qualifying service for the purpose of pension and retiral benefits and for release of consequential benefits including interest on the delayed payment, as per law laid down by the Full Bench of this Court in ***Kesar Chand Versus State of Punjab, 1988 (5) SLR 27.***

2. Learned counsel for the petitioner *inter alia* contends that the relief sought by the petitioner could not have been denied, in view of the ratio of the judgment of Full Bench of this Court in ***Kesar Chand [supra]*** and in view of the

Full Bench judgment of this Court in *A.J. Randhawa Versus State of Punjab, 1998 (1) SCT 343*.

3. Notice of motion.

4. Mr. Puru Jarewal, DAG, Punjab, accepts notice on behalf of respondents No.1 & 2, while Mr. Vikram Preet Arora, Advocate, accepts notice on behalf of respondent No.3, and waive service.

5. Learned counsel appearing on behalf of respondent No.3, submits on instructions, that respondent-Municipal Council shall withdraw the impugned order dated 09.06.2025 [Annexure P-9], to the extent it rejects the claim made by petitioner in the present petition, and shall decide his claim afresh, strictly in accordance with law and keeping in view the ratio of the judgments of this Court.

6. Keeping in view the statement made by learned counsel for respondent No.3 and without commenting upon the merits of the claim raised by the petitioner, the present petition is disposed of with a direction to respondent No.3, to decide the claim of the petitioner afresh, in accordance with law, as expeditiously as possible, and not later than 8 weeks from the date of receipt of a certified copy of this order.

7. Needless to say that the respondent corporation, while deciding the claim of the petitioner, shall provide due notice and opportunity of hearing to the petitioner and shall pass a reasoned/speaking order.

8. Disposed of in the aforesaid terms.

August 4, 2025
chiranjeev

(ROHIT KAPOOR)
JUDGE

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