



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

CWP-6909-2026

Date of decision: 09.03.2026

Parmeshwari Devi

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ravinder Phogat, Advocate
for the petitioner.

Mr. Piyush Khanna, Addl.A.G., Haryana.

Mr. Sandep Kashyap, Advocate for
Mr. Vikrant Pamboo, Advocate
for respondents No.2 to 4.

HARPREET SINGH BRAR, J. (ORAL)

1. The 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 respondents No.1 to 4 for counting work charge service towards and release all the benefits of service of the period from 14.03.1977 till 08.05.1986 along with interest.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner's deceased husband was appointed as T-mate on daily wages on 14.03.1977. Thereafter, he was regularized as ALM on 09.05.1986 and further promoted as Lineman on 03.11.2003. Further, husband of the petitioner died in harness on 05.08.2004. In September, 2018, the petitioner was informed that the past service rendered by her late husband as daily wager from 14.03.1977 to 08.05.1986 has not been counted as qualifying period for the purpose of



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pensionary benefits and she approached the respondents in September, 2018. The department directed her to deposit the differential amount of Rs.38,275/- towards the EFP employee share and she has deposited the same on 12.02.2019. Further, affidavit was obtained but no benefits were released. The petitioner served a legal notice on 17.07.2019; however, no relief was granted. He further refers to the reply of legal notice Annexure P-5 and submits that certain documents and affidavit are required to be submitted. The petitioner, thereafter, served a legal notice on 14.11.2025 (Annexure P-9) which remained unanswered. He further relies upon the judgment of Full Bench of this Court in 'Kesar Chand Vs. State of Haryana and others' 1988 (2) PLR 223 as well as the Division Bench of this Court in 'Harbans Lal Vs. The State of Punjab and others' 2012 (3) SCT 362 and submits that an employee who has rendered a continuous service from the date of his initial appointment on daily wage or work charge basis prior to his regularisation is entitled to counting his past service rendered as work charge or adhoc employment as qualifying service for the pension. The petitioner being an illiterate lady has been forced to run from pillar to post in order to secure her rightful claim.

3. He further submits that he would be satisfied if the legal notice (Annexure P-9) of the petitioner is decided by respondent No.2 by passing a speaking order in a time bound manner.

4. Learned State counsel, appearing on advanced notice as well as counsel for respondents No.2 to 4 submit that they have no objection in case a direction is issued to respondent No.2 for time-bound consideration and decision of the legal notice of the petitioner by passing a speaking order.



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5. Therefore, in view of the limited prayer made by learned counsel for the petitioner, respondent No.2 is directed to consider the legal notice (Annexure P-9) of the petitioner in terms of the judgment of Full Bench of this Court in *Kesar Chand's case (supra)* and the Division Bench of this Court in *Harbans Lal's case (surpa)* and pass a speaking order, after affording her an opportunity to be heard, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by respondent No.2.

6. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

09.03.2026
Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No