

CWP-10499-2020

2026:PHHC:053650



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

215

CWP-10499-2020

Date of Decision: 07.04.2026

Pavitar Singh

.....Petitioner

VERSUS

State of Punjab And Others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- Mr. H.S. Bedi, Advocate
for the petitioner.

Mr. Vikas Sonak, AAG, Punjab.

Mr. Harbans Lal Sharma, Advocate,
Mr. Harnoor Singh, Advocate and
Mr. Tapan Bhardwaj, Advocate
for respondents No.5 and 6.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of *mandamus*, directing the official respondents to release the full and final retiral/terminal benefits i.e. Death Gratuity amounting to ₹10,00,000/- and Leave Encashment amounting to ₹3,13,864/- (total ₹13,13,864/-) in respect of Late Mr. Bhupinder Singh son of Mr. Thakar Singh, who served as Salesman with respondent No.5-Society from 27.05.1989 till 05.03.2019 and passed

CWP-10499-2020

2026:PHHC:053650



away during service, to his legal representative i.e. the petitioner (Pavitar Singh), despite the fact that the pre-audit of the said amount has already been conducted by the office of the Audit Officer, Co-operative Societies, Ferozepur vide letter dated 15.01.2020 (Annexure P-4) and a resolution for release of the said benefits had already been passed by respondent No.5-Society on 26.04.2019 (Annexure P-2), but the respondents have illegally and arbitrarily withheld the same without any justifiable reason and further, a writ in the nature of *mandamus* is also sought directing the respondents to release the arrears of salary payable to the deceased employee for the period from February, 2016 to March, 2019 amounting to ₹14,43,765/-, as raised by the petitioner vide Legal Notice dated 08.06.2020 (Annexure P-1), which has also not been considered till date.

2. Learned counsel for the parties are *ad idem* that the issue involved in the present case is based upon the Punjab State Co-operative Agricultural Service Societies Service Rules, 1997, and this Court in “***Samarjit Singh vs. State of Punjab and others, CWP-1422-2026, decided on 05.03.2026***”, has already considered the validity of these rules and have concluded that these rules have not been validly enacted and as such are not enforceable.

3. In view of the prayer made by learned counsel for the parties, the present petition is disposed of in terms of ***Samarjit Singh (supra)***.

4. However, the petitioner would be at liberty to take recourse to alternate remedy as available to him in accordance with law with regard to the arbitration case.

CWP-10499-2020

2026:PHHC:053650



5. Pending miscellaneous application(s), if any, shall also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

07.04.2026
Parul Verma

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