



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

124

CWP-13944-2026

Date of decision : 06.05.2026

Paramjit Kaur

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Sandeep Kumar, Advocate for the petitioner.

Mr. Surya Kumar, A.A.G., Punjab.

NAMIT KUMAR J. (Oral)

1. The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India, seeking issuance of a writ of mandamus directing the respondents to count daily wage service of the petitioner's husband w.e.f. 01.02.1985 to 14.09.2018 as qualifying service for grant/release of leave encashment as the same has already been considered for payment of gratuity and further, to release the balance/remaining amount of gratuity by considering the total service w.e.f. 01.02.1985 to 14.09.2018 i.e. 33 years, 07 months and 13 days and to release all the arrears of leave encashment and gratuity from the date of entitlement along with interest @ 18% per annum.

2. Learned counsel for the petitioner submits that although, the service rendered by the husband of the petitioner as daily wager has been taken into consideration for the grant of gratuity, however, the same has not been considered for the purpose of grant of leave encashment. He further submits that in terms of Rule 3.17(a)

of the Punjab Civil Service Rule, Volume-II, Part-II, the said service is



CWP-13944-2026

-2-

countable towards all the pensionary benefits. He further submits that the case of the petitioner is squarely covered by the judgment dated 30.01.2026 passed by a Division Bench of this Court in ***LPA No.236 of 2026 titled as ‘Market Committee, Moga through its Secretary, Moga Vs. Sankta Prasad and others’***. He further submits that for claiming the said relief, the petitioner shall make a detailed representation to respondent No.2-University which may be directed to be considered and decided in a time bound manner.

3. If any such representation is submitted by the petitioner for claiming the abovesaid relief or any other relief within a period of 03 weeks from today, the same shall be considered and disposed of by respondent No.2 by passing a speaking order within a period of 02 months from the date of its receipt and if the petitioner is found entitled to the relief sought, the same shall be granted to her within a period of 01 month thereafter.

06.05.2026
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(NAMIT KUMAR)
JUDGE

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