

CWP-13361-2026
CWP-13366-2026
CWP-13438-2026

2026:PHHC:067454



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
114+115+119

Date of decision: 01.05.2026

1. CWP-13361-2026 (O&M)

Ajaib Singh
.....Petitioner
Versus
Uttar Haryana Bijli Vitran Nigam Limited and others
.....Respondents

2. CWP-13366-2026 (O&M)

Ram Dhan
.....Petitioner
Versus
Uttar Haryana Bijli Vitran Nigam Limited and others
.....Respondents

3. CWP-13438-2026 (O&M)

Satpal Singh
.....Petitioner
Versus
Uttar Haryana Bijli Vitran Nigam Limited and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Tanya Bhurji, Advocate
with Ms. Haridhi Aggarwal, Advocate
Ms. Rishita Kaushik, Advocate
and Ms. Yaashica, Advocate
for the petitioner(s) in all the cases.

Mr. Divyansh Shukla, Advocate
for Mr. Sukhdeep S. Parmar, Advocate
for the respondents in CWP-13361-2026.



Mr. Prince Singh, Advocate
for the respondents
in CWP-13366-2026 & CWP-13438-2026.

HARPREET SINGH BRAR J. (Oral)

1. Vide this common order, I intend to dispose of CWP Nos.13361, 13366 and 13438 of 2026, as common questions of law and facts are involved for adjudication. For the sake of convenience, facts are taken from CWP-13361-2026.

2. Prayer in the writ petition (CWP-13361-2026) filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *mandamus*, directing the respondents to count the daily wage service/work-charged service rendered by the petitioner, followed by his regularization, towards qualifying service for the purpose of revised pension and pensionary benefits, in accordance with the statutory rules/instructions governing his conditions of service and to extend him the benefit of the judgment rendered in favour of similarly situated employees in **Civil Appeal No.1772 of 2009**, titled as ***State of Haryana and others Versus Kesho Ram and others***, decided on **10.12.2009** (Annexure P-2), which stands implemented vide letter dated 05.04.2010 (Annexure P-3), as well as other judicial pronouncements i.e. **C.W.P. No. 30986 of 2025**, titled as ***Sankta Prasad Vs. State of Punjab and others*** decided on **17.10.2025**, **C.W.P. No.21028 of 2010**, titled as ***Ram Kumar Rana and others Versus U.H.B.V.N.L. and others***, decided on **26.11.2010** (Annexure P-8), which also stands



implemented and further to release the benefit of the Assured Career Progression Scheme in terms of Memo No.94/FA/HQ/F&B/UH-12A/Volume IV dated 22.05.2014 (Annexure P-10), whereby Annexure-A of the Haryana Government, Finance Department Circular Letter No.1/83/2008-1PR(FD) dated 04.03.2014 (Annexure P-9) was adopted by the respondents, along with all consequential benefits including arrears and interest @ 18% per annum.

3. Learned counsel for the petitioner(s), *inter alia*, contends that the petitioner – Ajaib Singh (in CWP-13361-2026) was initially engaged on daily wage basis by the erstwhile Haryana State Electricity Board on 07.09.1981 and he was subsequently, regularized on 05.05.1993. She further submits that the State of Haryana has issued the Instructions dated 17.03.2010 clarifying that daily wage service followed by regularization is liable to be counted towards pension and thereafter, the respondent/Nigam adopted the said Instructions and implemented the same vide letter dated 05.04.2010 as discernible from Annexure P-3. She further contends that similarly situated employees were granted the benefit of past service rendered on work-charge basis for calculating the qualifying service for computing the pension in terms of the order dated 05.10.2010 passed by this Court in CWP-18073-2010, titled as Daya Nand and others vs UHBVNL and others (Annexure P-7) and the order dated 26.11.2010, passed in CWP-21028-2010, titled as Ram Kumar Rana and others vs UHBVNL and others



(Annexure P-8). Feeling aggrieved, the petitioner submitted a representation dated 21.12.2020 (Annexure P-11) followed by a legal notice on 16.09.2024 (Annexure P-12) but no action has been taken so far.

3.1. Learned counsel for the petitioner relies upon Rules 3.17, 3,17-A and 4.23 of the Punjab Civil Services Rules and submits that the case of the petitioner is squarely covered by the Full Bench judgment of this Court in ***Kesar Chand and others v. State of Punjab and others, 1988(5) SLR 25***, and Division Bench judgment of this Court in ***Harbans Lal v. State of Punjab and others, 2012(3) SCT 362***. Learned counsel for the petitioner further places reliance on the judgment of this Court in ***State of Haryana and others vs. Jai Bhagwan, 2024 NCPHHC 095763***, wherein the part-time employees subsequent to their regularization were granted the benefit of counting of past service as qualifying service for the purpose of pension and pensionary benefits.

3.2. Learned counsel for the petitioner, at this stage, submits that she would be satisfied if the instant writ petition(s) of the petitioner(s) are treated as a comprehensive representation(s) and the same be decided by respondent No.1 by passing a speaking order in a time bound manner.

4. Learned counsel for the respondents, appearing on advance notice, submits that petitioner – Ajaib Singh had retired five years back as the claim raised by him suffers from the vice of delay and laches. He



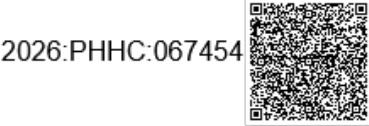
further submits that the particulars of all the petitioner(s), namely Ajaib Singh, Ram Dhan and Satpal Singh, shall be duly verified and their cases shall be considered in the light of the judgments rendered in ***Kesar Chand's case (supra)***, ***Harbans Lal's case (supra)*** and ***Jai Bhagwan's case (supra)***, and thereafter, a speaking order shall be passed in a time-bound manner.

5. Keeping in view the limited prayer made by learned counsel for the petitioners, the respondent No.1 is directed to treat all the captioned writ petition(s) as a comprehensive representation(s) and consider the case of all the petitioner(s), namely, Ajaib Singh, Ram Dhan and Satpal Singh, in the light of ***Kesar Chand's case (supra)***, ***Harbans Lal's case (supra)*** and ***Jai Bhagwan's case (supra)*** and pass a speaking order accordingly, after affording an opportunity of hearing to the petitioner(s), 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(s). Needless to say, if the petitioner(s) are found entitled to the relief sought, the same shall be granted forthwith by respondent No.1.

6. Disposed of, accordingly.

7. It is made clear that the Hon'ble Supreme Court in ***Union of India vs. Tarsem Singh, (2008) 8 SCC 648***, has held that the pensionary benefits cannot be rejected on the ground of delay and laches, at the most, the arrears can be restricted to three years prior to

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filing of the writ petition and the interest should not ordinarily be awarded in such delayed claims.

8. Pending miscellaneous application(s), if any, also stand disposed of.
9. A photocopy of this order be placed on the file of other connected cases.

(HARPREET SINGH BRAR)
JUDGE

01.05.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No