



CWP-12862-2023(O&M)

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

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CWP-12862-2023(O&M)
Date of decision: 21.04.2026

Parkash Singh**... Petitioner****Vs.****State of Punjab and others****... Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Aditya Pratap Singh, Advocate
for the petitioner.

Mr. Amit Shukla, D.A.G., Punjab.

Mr. Japsehaj Singh, Advocate
for respondents No.2 to 5.

HARPREET SINGH BRAR, J. (ORAL)

1. 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 the respondents to calculate and release the amount of interest @ 12% on the revised amount of Rs.802194/- which has already been paid to the petitioner as revised pensionary benefits on account of his service in work charge period being duly regularized from 01.01.1980 to 15.05.1996.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner joined the respondent-Corporation as a work charge employee on 01.01.1980. The petitioner, thereafter, regularized on 15.05.1996 and retired on 31.03.2012 as an Assistant Line Man (ALM). While calculating the pensionary benefits, the service of the petitioner as work charge employee from 01.01.1980



till 15.05.1996, before his regularization, was not counted for calculating the qualifying service for commuting pension. The petitioner filed a suit for declaration and mandatory injunction before the learned Civil Judge (Junior Division), Gurdaspur on 30.10.2014 bearing Civil Suit No.293 of 2014, which was dismissed by granting liberty to the petitioner to first approach the respondent-Corporation for counting his service rendered from 01.01.1996 till 31.03.2012 as work charge employee. Following which the petitioner filed Civil Appeal No.72 of 2019 against the order passed by the learned trial Court, which was also dismissed.

2.1 Accordingly, the petitioner submitted a detailed representation on 03.03.2021 addressed to respondent No.4, which remained unheeded. As such, the petitioner approached this Court by filing CWP No.630-2022, which was disposed of vide order dated 01.02.2022 (Annexure P-1) and respondent No.2 was directed to decide the legal notice dated 10.07.2013 and representation dated 03.03.2021 by passing a speaking order within a period of one month. In purported compliance, a speaking order was passed on 07.03.2022 (Annexure P-2), by respondent No.2, finding the petitioner entitled for the relief claimed. Consequently, the pensionary benefits for the work charge service period were counted and arrears were paid to the petitioner on 01.04.2022. The petitioner received the arrears of the pensionary benefits in lieu of the service rendered on work charge. However, no interest was paid.

3. *Per contra*, learned counsel for respondents No.2 to 5 submits that there is no delay on the part of the respondent-Corporation as and when the petitioner deposited his share received at the time of retirement as provident



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fund, his pensionary benefits were released. As such, the petitioner cannot claim interest as the petitioner has retained the benefit of the amount released at the time of retirement as provident fund and he had approached this court after a huge delay, as the petitioner retired on 31.03.2012.

6. Having heard learned counsel for the parties and perusing the record, it transpires that the petitioner retired on 31.03.2012 and initially filed a civil suit before the learned Civil Judge (Junior Division) Gurdaspur on 30.10.2014 which was dismissed and the petitioner ultimately approached this Court by filing CWP-630-2022. Further, there is no dispute that the petitioner received the share of employer's contribution towards provident fund at the time of his retirement and he continued to retain the same till the differential amount was deposited with him in May, 2022, when his pensionary benefits towards the service rendered as work charge employee were paid.

As such, this court found no ground to interfere with the impugned order and finds no merit in the present petition. Accordingly, the same stands dismissed.

[HARPREET SINGH BRAR]
JUDGE

21.04.2026
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No