

2026:PHHC:055906



212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10637-2018
DECIDED ON: 08.04.2026

VINOD SHARMA

.....PETITIONER

VERSUS

**INDIAN COUNCIL OF SOCIAL SCIENCES RESEARCH CHANDIGARH
& OTHERS**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Vikas Mohan Gupta, Advocate
for the petitioner.

Mr. Salil Sablok, Advocate
for respondents No.1 and 2.

Mr. Akshay Kumar Goel, Advocate
for respondent No.3.

SANDEEP MOUDGIL, J

Prayer

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the impugned communication dated 26.06.2017 (Annexure P-18) and further for issuance of a writ in the nature of *mandamus* directing the respondents to grant the pay scale equivalent to the post of Assistant Librarian w.e.f. 25.06.2013 along with consequential benefits and to provide promotional avenues to the petitioner.

Brief Facts

2. The petitioner was appointed as a Library Assistant on 23.06.2003 in the Regional Centre of ICSSR at Panjab University, Chandigarh, and his services were subsequently regularized.

3. As per the terms of appointment, the service conditions of the petitioner were to be governed by the rules applicable to employees of Panjab University. A circular dated 14.05.2004 issued by Panjab University provides that Library Assistants who do not fulfill UGC qualifications shall be entitled to placement in the pay scale of Assistant Librarian upon completion of 10 years of service. The petitioner completed 10 years of service on 25.06.2013 and claimed such benefit, however, the same was denied vide impugned communication dated 26.06.2017.

4. Aggrieved thereof, the present writ petition has been filed

Submissions**On behalf of the Petitioner:**

5. Learned counsel submits that the petitioner is entitled to the benefit of pay scale of Assistant Librarian in terms of circular dated 14.05.2004, which forms part of the service conditions governing him. It is contended that once the appointment letter stipulates applicability of Panjab University Rules, the respondents cannot deny such benefit. The action of the respondents is stated to be arbitrary and violative of Articles 14 and 16 of the Constitution.

On behalf of the Respondents:

6. Learned counsel for the respondents submits that there is no sanctioned post of Assistant Librarian in the Regional Centre and that the post is a direct recruitment post. It is further contended that the petitioner is not entitled to

the claimed benefit in absence of a specific scheme or provision applicable to the Regional Centre.

Analysis

7. The core issue that arises for consideration is whether the petitioner, whose service conditions are governed by Panjab University Rules, can be denied the benefit flowing from such Rules.

8. This issue is no longer res integra in view of the judgment passed by the Division Bench of this Court in ***LPA-2781-2025 decided on 13.10.2025***, wherein it has been held that once the terms of appointment stipulate that service conditions would be governed by the Rules of the host University, the employer cannot deny the benefits available under such Rules.

9. The Division Bench has categorically held that the employees of ICSSR Regional Centres derive their rights from the contract of employment itself and such contractual stipulation is binding upon the employer.

10. It has been further held that denial of benefits arising from the applicable Rules would be arbitrary and violative of Article 14 of the Constitution, and the mere absence of a specific scheme cannot be invoked to defeat such a rightful claim.

11. Applying the aforesaid principle to the facts of the present case, it is clear that the petitioner's appointment letter expressly makes the Panjab University Rules applicable, and the circular dated 14.05.2004 forms an integral part of such governing service conditions. Moreover, the petitioner has undisputedly completed the requisite period of service, and the denial of the claimed benefit rests solely on the ground of non-existence of a sanctioned post or scheme an objection which stands squarely rejected by the Division Bench.

12. Once the governing Rules provide for placement in the pay scale upon completion of 10 years of service, such right cannot be defeated by administrative inaction or absence of a formal scheme.

Conclusion

13. In view of the law laid down by the Division Bench in LPA-2781-2025 and the undisputed factual position, the impugned communication dated 26.06.2017 cannot be sustained in the eyes of law.

14. Accordingly, the present writ petition is allowed. The impugned communication dated 26.06.2017 (Annexure P-18) is hereby quashed.

15. The respondents are directed to grant the petitioner the pay scale equivalent to the post of Assistant Librarian w.e.f. 25.06.2013 and also to release all consequential benefits including arrears within a period of two months from the date of receipt of certified copy of this order.

08.04.2026

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**(SANDEEP MOUDGIL)
JUDGE**

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