



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

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CWP-15441-2026 (O&M)
Date of decision: 26.05.2026

Gobind Ram and others

....Petitioners

Versus

The Pepsu Road Transport Corporation and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vikas Singh, Sr. Advocate
with Ms. Anamika Sheoran, Advocate
for the petitioners.

Mr. Anupam Singla, Advocate
for the respondents.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition 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 grant pension and retiral benefits to the petitioners in accordance with the Old Pension Scheme as per existence prior to 01.01.2004 instead of treating them as members of CPF and pay the differential amount to the petitioner along with interest @ 12%. Further prayer has been made to direct the respondents to pay interest @ 12% on account of delayed payment of gratuity, etc.

2. Learned Senior counsel for the petitioners, *inter alia*, contends that once the petitioners have been regularized, they cannot be denied the benefit of the service rendered by them as part-time/daily wage employees as qualifying service for the purpose of pensionary



benefits. He relies upon the Full Bench judgment of this Court in ***Kesar Chand vs. State of Haryana and others, 1988 (2) PLR 223*** as well as the Division Bench of this Court in ***Harbans Lal vs. The State of Punjab and others, 2012 (3) SCT 362*** and submits that the past daily wage service rendered by the petitioners is required to be counted for the purpose of pensionary benefits. He further submits that the petitioners were regularized prior to contributory pension scheme, as such, they are entitled to the Old Pension Scheme as per the settled law. He further relies upon the judgment passed by this Court in ***Jeewan Lata vs State of Punjab and others, 2019(4) SCT 271***, and submits that continuous part-time service followed by regularization shall be counted as qualifying service for pension and therefore, the action of the respondents in denying pensionary benefits to the petitioners is contrary to the settled law.

2.1. Learned Senior counsel for the petitioners 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. In support of claim of the petitioners, learned Senior counsel for the petitioners also relies upon another judgment of this Court passed in **CWP-12826-2017** titled as ***Rajesh Kumar and others vs. State of Punjab and others***, decided on **22.12.2025** along with a bunch of petitions.



2.2. Learned Senior counsel for the petitioners, at this stage, submits that he would be satisfied if the representation dated 07.05.2025 (Annexure P-3) of the petitioners is decided by respondent No.2 by passing a speaking order in a time bound manner.

3. *Per contra*, learned counsel for the respondents submits that the petitioners have failed to exercise the option within the stipulated period and as such, they are not entitled to the relief claimed in terms of the judgments rendered by the Hon'ble Supreme Court in ***Pepsu Road Transport Corporation, Patiala vs Mangal Singh and others, 2011(11) SCC 702*** and ***Pepsu Road Transport Corporation, Patiala vs Amandeep Singh and others, 2017(1) SCT 432***.

3.1. Learned counsel for the respondents, however, submits that he has no objection, in case a direction is issued to respondent No.2 for time-bound consideration and decision of the representation dated 07.05.2025 (Annexure P-3) filed by the petitioner by passing a speaking order.

4. Keeping in view of the limited prayer made by learned Senior counsel for the petitioners, the respondent No.2 is directed to consider the representation dated 07.05.2025 (Annexure P-3) filed by the petitioners and pass a speaking order, after affording an opportunity of hearing to the petitioners, 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 petitioners. Needless to say, if the



petitioners are found entitled to the relief sought, the same shall be granted forthwith by respondent No.2.

5. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

26.05.2026
yakub

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