

CWP-16255-2026

2026:PHHC:081101



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

112

CWP-16255-2026

Date of Decision: **22.05.2026**

Malook Singh

....Petitioner

VERSUS

Punjab State Power Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Rimple Saini, Advocate for the petitioner.

Mr. Ankit Gaur, Advocate for the respondents (through V.C).

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of *mandamus* for directing the respondents for counting work charge/RTM service period i.e. From November, 1977 to 08.11.1995 along with regular service for the purpose of grant of pensionary benefits and directing the respondents not to discriminate the petitioner from benefits already granted to similarly situated employees in ***CWP-11250-2013, Joginder Singh Versus PSPCL etc***, decided on 03.02.2016 and further disposed of on 15.03.2016 and ***CWP-9515-2016, Kuljit Singh versus PSPCL and others***, decided on 16.05.2016 (Annexure P-1 to P-3) and in view of instructions

CWP-16255-2026

2026:PHHC:081101



dated 18.04.2016 issued by the Punjab Government for counting the service of the employees of State autonomous bodies/Boards and Corporations for the purpose of pension and pensionary benefits (Annexure P-4). Further directing the respondents to consider the claim of petitioner for grant of pensionary benefits by taking into account his entire service including the service rendered before regularization and consequently pay him the entire arrears along with 18% interest per annum.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was initially appointed as a Work Charge employee in November, 1977 and thereafter his services were regularized on the post of Assistant Lineman w.e.f. 08.11.1995. The petitioner retired from service on 30.04.2009. It is submitted that the petitioner has not been granted the benefit of counting the service rendered by him in the work charge establishment from November, 1977 till 08.11.1995 for the purpose of pensionary and retiral benefits. Learned counsel further submits that this Court has already granted the benefit of counting past service rendered in work charge capacity to similarly situated employees in ***Joginder Singh (supra)*** (Annexure P-1). It is further submitted that the Government of Punjab issued instructions dated 18.04.2016 as a special one-time measure permitting counting of work charge/daily wage service towards qualifying service for pensionary benefits (Annexure P-4). Pursuant thereto, the petitioner also submitted a representation seeking similar relief; however, the same has remained unattended and no decision thereupon has been taken



till date. Learned counsel further contends 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*** as well as the provisions of Rule 3.17 of the Punjab Civil Services Rules.

3. Learned counsel for the petitioner, at this stage, submits that he would be satisfied if a direction is issued to respondent No.2/competent authority to consider and decide the representation dated 09.02.2026 (Annexure P-5), by passing a reasoned and speaking order within a stipulated period, in the light of the aforesaid judgments and instructions dated 18.04.2016 (Annexure P-4).

4. On advance notice, Mr. Ankit Gaur, Advocate accepts notice on behalf of the respondent who is appearing through video conferencing and submits that he has no objection in case a direction is issued to the respondent No.2/competent authority to hear and decide the representation dated 09.02.2026 (Annexure P-5) by passing a speaking order in a time bound manner in terms of aforesaid judgments and instructions dated 18.04.2016 (Annexure P-4).

5. In view of the limited prayer made by counsel for the petitioner without commenting upon the merits of the case, the present petition is disposed of and the respondent No.2/competent authority is directed to hear and decide the representation dated 09.02.2026 (Annexure P-5) by passing a speaking order in a time bound manner in terms of aforesaid judgments and

CWP-16255-2026

2026:PHHC:081101



instructions dated 18.04.2016 (Annexure P-4), within a period of three months from the date of receiving a certified copy of this order. Further the decision taken thereof shall be conveyed to the petitioner.

6. Needless to say, if the petitioner is found entitled to the relief sought, the same be granted forthwith by respondent/competent authority. However, the respondents would be at liberty to restrict the arrears to 38 months in terms of judgment rendered by Hon'ble Supreme Court in *Union of India Versus Tarsem Singh, (2008) 8 SCC 648*.

7. Pending miscellaneous application(s), if any, shall also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

22.05.2026

Puneet Chawla

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No