

CWP-17198-2026

2026:PHHC:084601



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

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Date of Decision: **27.05.2026**

Mohan Singh

....Petitioner

VERSUS

Punjab Urban Development Authority (PUDA) and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Vishal Sodhi with Mr.Jitesh Garg, Advocates for the petitioner.

Ms. Anu Chatrath, Sr. Advocate with Mr. Nishant Maini,
Advocate for respondent No.1.

Ms. Pratibha Bali, AAG Punjab.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of *mandamus* directing the respondents to grant and release pensionary benefits to the petitioner in respect of the qualifying Government service rendered by him w.e.f. 23.08.1983 to 24.12.1998, in accordance with Rule 5.3 of the Punjab Civil Services Rules, Volume-II. Further directing the respondents to compute, fix and sanction the monthly pension of petitioner by taking into account the qualifying Government service rendered by him under the

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Department of Housing and Urban Development/Punjab Housing Development Board prior to his transfer/absorption in PUDA w.e.f. 23.08.1983 to 24.12.1998 and further counting the previous service rendered by the Department of Irrigation from where the petitioner came to Housing and Urban Development Department through proper channel. Further directing the respondents to release all consequential arrears of pension along with interest @ 18% p.a. from the date the same became due till its actual realization.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner initially joined the Department of Irrigation, Punjab as a Tracer in the year 1982. Thereafter, he was appointed as a Draftsman in the Department of Housing and Urban Development, Punjab on 23.08.1983. It is further contended that the Government of Punjab, vide decision dated 29.04.1991 (Annexure P-1), decided to transfer the assets and liabilities of the Urban Estate Department/Department of Housing Development Board and transferred the employees on deputation with an express protection of pensionary and retiral benefits. Subsequently, on 24.12.1998, the services of the petitioner stood transferred/merged with PUDA. The primary grievance of the petitioner is with regard to non-counting of his service prior to 24.12.1998 by the respondent-PUDA. The petitioner, upon attaining the age of superannuation, retired from the office of respondent No.3 on 31.10.2022. Though the petitioner was paid leave encashment as well as gratuity, he has not been paid pensionary benefits despite rendering qualifying service of 15

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years, 11 months and 12 days from 23.08.1983 to 24.12.1998. It is further submitted that the petitioner also served a legal notice dated 12.03.2026 (Annexure P-9) seeking release of pensionary benefits; however, the same remains unheeded.

3. Learned counsel for the petitioner submit that he would be satisfied in case the issue involved in the present petition is considered and decided by the Empowered Committee constituted under the Punjab Dispute Resolution & Litigation Policy, 2020 (hereinafter ‘Punjab Litigation Policy’) which was notified vide notification dated 25.06.2020.

4. Learned Senior Counsel as well as learned State Counsel for respondents submits that they have no objection in case a direction is issued to the Empowered Committee constituted under the Punjab Litigation Policy for time-bound consideration and decision of the issue involved in the present petition(s) by passing a speaking order.

5. Accordingly, the present petition is disposed of and the Empowered Committee constituted under the Punjab Litigation Policy, headed by the Chief Secretary, Government of Punjab, is directed to examine the claim raised by the petitioner, subject to the following terms:-

i. The Empowered Committee constituted under the Punjab Litigation Policy is directed to treat the present writ petition as a comprehensive representation and consider and adjudicate upon the issue raised herein. In the alternative, the petitioner shall be at liberty to submit a detailed representation

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setting out claim within a period of two weeks from the date of receipt of a certified copy of this order.

ii. The Committee shall pass a reasoned and speaking order, after granting an opportunity of personal hearing to the petitioner, within a period of four months from the date of receipt of a certified copy of this order or from the date of receipt of the representation of the petitioner, as the case may be. Furthermore, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to her forthwith.

6. Pending miscellaneous applications, if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

27.05.2026
Puneet Chawla

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