



CWP-4287-2020

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

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CWP-4287-2020 (O & M)
Date of decision: 29.01.2025

Mohinder Lal

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Suraj Mal Bhatia, Advocate and
Mr. Mohinder Lal, Advocate, for the petitioner.

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

CM-10253-CWP-2023

Allowed as prayed for. Replication filed on behalf of the petitioner is taken on record.

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1. The prayer made in the present petition is for directing the respondents to count the past service rendered by the petitioner in the Panjab University, Chandigarh, as a Clerk, w.e.f. 23.09.1980 to 31.07.1989, for the purpose of pension.

2. The petitioner worked in the University for the period of eight years, as mentioned above, whereafter, he joined the respondent-Department, on the post of Social Studies Master, on 03.08.1989. In terms of Instructions dated 13.10.2016, Annexure P-4, issued by the Finance Department, Punjab, if any official or officer has not got any leave



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encashment and gratuity from the Board/Corporation/Autonomous bodies, then he/she shall get all the pensionary benefits after counting the service rendered in the said organization. The premise of declining the claim is that he had joined upon having been relieved by the Panjab University, but his resignation was subsequently accepted while in the written statement, a different ground has been taken, it being that the service which he rendered in the Panjab University, was not pensionable.

3. The aforesaid facts having been brought out, during the course of hearing, learned State counsel, on instructions, states that the respondents would not be averse to have a relook at the matter and decided afresh within a period of 3 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner.

4. The aforesaid satisfies the learned counsel for the petitioner.

5. The matter stands disposed of accordingly and if the petitioner is found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same may be passed after granting opportunity of hearing to him and shall contain reasons, whereupon he shall be free to seek legal redress thereupon.

29.01.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No