



2026:PHHC:073779



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

**CWP-7935-2001
Decided On:11.05.2026**

CHANDER MOHNI AND ANR.

....PETITIONER(S)

VERSUS

STATE OF HARYANA AND ORS.

....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None for the petitioner

Ms. Mayuri Lakhanpal Kalia, DAG Haryana

SANDEEP MOUDGIL, J. (ORAL)

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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/mandamus directing the respondents to grant pensionary/retiral benefits to the petitioners along with interest @ 18% per annum from the date of their retirement.

2. Learned State counsel has contended that the petitioners were initially appointed as Craft Teachers on 31.03.1967 and joined their duties as such on 01.04.1967 on temporary basis and on consolidated salary. The petitioners retired on 30.09.1996 upon attaining the age of superannuation of 58 years. It is further submitted that although their services were subsequently regularized by the Deputy Commissioner, Ambala vide orders dated 28.08.1978 and 06.09.1978 respectively, and they were granted regular pay scales, such regularization by itself would not confer any right to pensionary benefits.



3. Learned State counsel has further argued that the petitioners were employees of the Panchayat Samiti, which is a local authority, and not employees of the State Government. It is submitted that throughout their service tenure, the petitioners remained covered under the Contributory Provident Fund (CPF) Scheme, wherein contributions were made equally by the petitioners and the Panchayat Samiti. Since the petitioners were governed by the CPF Scheme, they are not entitled to pensionary benefits under the Haryana Civil Services (Pension) Rules, 2016 or any other pension scheme applicable to Government employees.

4. This Court has considered the submissions advanced by learned counsel for the parties and perused the record.

5. Admittedly, the petitioners were initially appointed on temporary basis under the Panchayat Samiti and were being paid consolidated salary. Though their services were later regularized and they were granted regular pay scales, it is not disputed that the petitioners continued to remain members of the CPF Scheme throughout their service career.

6. Merely because the petitioners were regularized or granted regular pay scales would not *ipso facto* entitle them to pensionary benefits, especially when they were never brought under any pensionable establishment or pension scheme. The record clearly reflects that deductions towards CPF were continuously made and corresponding contributions were also deposited by the Panchayat Samiti. The petitioners accepted the benefits of the CPF Scheme without any protest during their entire service tenure.



7 Furthermore, the Panchayat Samiti is a local authority and as such a distinct legal entity. The petitioners cannot claim parity with regular Government employees governed by statutory pension rules merely on the basis that the Panchayat Samiti receives financial assistance from the State Government.

8. In the absence of any statutory provision, rule, or policy extending pensionary benefits to employees covered under the CPF Scheme, no mandamus can be issued directing the respondents to grant pension to the petitioners.

9. It is to be noted that since learned counsel for the petitioner failed to appear before the Court, this Court is inclined to infer that the petitioner's counsel is not interested in pursuing the case further.

10. Consequently, finding no merit in the present writ petition as well as on failure of learned counsel for the petitioner to appear, the same is hereby dismissed.

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

(SANDEEP MOUDGIL)
JUDGE

11.05.2026

NainaRajput

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No