

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

231

**Civil Writ Petition No.24145 of 2014
Date of decision: July 20, 2015**

Ram Nath

....Petitioner

versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. H.K. Brinda, Advocate for the petitioner.

Mr. Anil Sharma, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.(Oral)

The grievance of the petitioner is that his services were regularized on 19.02.2008 but the pension was denied only on the ground that he had joined regular service after the new Pension Scheme which came into existence w.e.f. 01.01.2004.

Learned counsel for the petitioner submits that the petitioner was working on work-charge basis since 1985 and his case is squarely covered by decision dated 31.08.2010 passed by the Division Bench of this Court in **CWP No.2371 of 2010**, titled as **Harbans Lal vs. State of Punjab and others**. Learned counsel also submits that all the retiral benefits have been released to the petitioner except leave encashment.

Notice of motion was issued on 26.11.2014. In response thereto, reply on behalf of State has been filed which is on record.

Learned State counsel has not disputed the submissions made by learned counsel for the petitioner.

After hearing both the parties and perusing the documents on record, the present petition is disposed of with a direction to respondent No.2 to consider the claim of the petitioner in terms of decision of **Harbans Lal's case(supra)** and also by treating the present petition as representation as detailed facts have been mentioned therein. The necessary exercise be done within a period of two months from the date of receipt of copy of the order.

In case, the petitioner is found entitled for the benefits as mentioned in this petition, the same be released to him within a period of two months thereafter and in case, any adverse order is passed, the petitioner is at liberty to avail appropriate remedy in accordance with law.

Disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

July 20, 2015
sonia g.