

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

Date of decision:27/07/2016.

Vinod Kumar and another

.....Petitioners

vs

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Shalender Mohan,Advocate for the petitioners

Jaswant Singh,J(Oral)

Petitioner no.1-Vinod Kumar was engaged as MCC on 1.12.1988 on daily wage basis whereas petitioner no.2-Kuldeep Singh was engaged as Petrol Man on 1.12.1995 on daily wage basis. Their services were regularized w.e.f. 21.6.2007 and 24.5.2011 respectively.

Grievance of the petitioners is that new pension policy is being applied to them by assuming their date of induction as date of regularization by ignoring the previous service.

It is contended that case of the petitioners would be covered under the old pension policy by taking into consideration their previous engagement/appointment and the issue has been finally settled by a Division Bench of this Court in the case reported as **Harbans Lal v State of Punjab and others**, CWP 2371 of 2010 decided on 31.8.2010 (P-5). It is claimed that in view of the settled law the petitioners would be governed under the old pension policy.

At the time of hearing learned counsel for the petitioners submits that his clients would be satisfied if their legal notice dated 29.5.2016(P-7) addressed to all the respondents is directed to be disposed of in a time bound manner.

In view of the restricted prayer made by the counsel for the petitioners, present writ petition is disposed of with a direction to the competent authority to decide the claim of the petitioners as set out in the writ petition/legal notice within a period of six months by passing a speaking order in accordance with law. The period of six months would commence from date of receipt of copy of writ petition/certified copy of this order by the competent authority.

Disposed of in the above terms.

27.07.2016
joshi

(Jaswant Singh)
Judge

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