

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

CWP No.15058 of 2016

Date of Decision: 29.07.2016

Baldev Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Madhav Pokhrel, Advocate
for the petitioners.

DAYA CHAUDHARY, J. (ORAL)

The prayer in the present petition is for issuance of a writ in the nature of *mandamus* directing the respondent-department to grant the benefit of old pension scheme to the petitioners under Pension Rules as applicable in the year, 2002.

Learned counsel for the petitioners submits that the names of the petitioners were recommended by the Punjab Subordinate Services Selection Board for their regular appointment but no action has been taken thereupon so far. Ultimately, the petitioners served legal notice dated 28.04.2016 (Annexure P-5) upon the respondents. Learned counsel also submits that the case of present petitioners is squarely covered by decision in ***CWP No.27066 of 2015*** titled as ***Balrajbir Singh and others vs State of Punjab and others*** decided on ***23.12.2015***.

Learned counsel for the petitioners submits that the petitioners

would be satisfied, in case, the directions are issued by this Court to consider the case of the petitioners in view of decision in **Balrajbir Singh's** case (supra) as other similarly situated persons have been granted the same relief.

In view of the submissions made by learned counsel for the petitioners, the present petition is disposed of with a direction to respondent No.2 to consider the legal notice dated 28.04.2016 (Annexure P-5) in accordance with decision in **Balrajbir Singh's** case (supra) within a period of two months from the date of receipt of certified copy of this Order.

However, in case, the petitioners are found to be entitled for the relief claimed in the present petition as per decision in **Balrajbir Singh's** case (supra), the same be granted to them within a period of two months thereafter.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

29.07.2016
gurpreet

Whether speaking/reasoned

Yes

Whether Reportable

Yes