

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

**CWP No.19723 of 2016
Date of decision: 22.09.2016**

Ram Lal and others

..Petitioners

Versus

The State of Punjab and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Ms. Manjari Joshi, Advocate
for the petitioners.

Daya Chaudhary, J. (Oral)

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to re-fix the dates of regular appointments of the petitioners by counting their entire past service towards qualifying service for the purpose of pension and other benefits. A further prayer has also been made for issuance of direction to respondents to allot the petitioners GPF Account under the GPF Scheme as existed prior to 01.01.2004 and to grant pensionary benefits as applicable to the employees recruited in the Punjab Government Service prior to 01.01.2004.

Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the decision rendered by Division Bench of this Court in CWP No.2371 of 2010 titled as 'Harbans Lal vs. State of Punjab', which has further been upheld by Hon'ble the Apex Court. The petitioners have made representation (Annexure P-9) but no action has been taken so far. Learned counsel also submits that the petitioners would be

satisfied in case, directions are issued by this Court to decide the representation (Annexure P-9) in view of Harbans Lal's case (supra).

Keeping in view the limited prayer of the petitioners and without issuing notice of motion to the respondents, the present writ petition is disposed of with a direction to respondent No.3 to consider the case of the petitioners as made out in the representation (Annexure P-9) within a period of two months from the date of receipt of certified copy of this order.

In case, the petitioners are found to be entitled for the relief sought in the representation, the same be granted to them within a period of three months thereafter. In case, the petitioners are still aggrieved by the action of the respondents in any manner, they are at liberty to avail the appropriate remedy.

22.09.2016
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No