

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.2127 of 2016
Decided on : 17.02.2016

Kulwant Singh & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

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

G.S. Sandhawalia , J. (Oral)

The petitioners seek the benefit of the Division Bench judgment of this Court in **Harbans Lal Vs. The State of Punjab & others 2012 (3) SCT 362** which has been upheld by the Apex Court and the review has also been dismissed on 04.11.2015.

It is the case of the petitioners that they had joined the respondent-Department between the years 1989 to 1996 and were regularized on various posts as Fitter, Mali, Pump Operator, Lineman etc., on 24.05.2011. The details are given in memo of parties. It is submitted that in view of the judgment of Harbans Lal's case (supra), they were entitled for the pensionary benefits, as applicable to the employees recruited prior to the year 2004.

Counsel submits that notice of demand for justice has already been served upon the respondents on 04.12.2013 (Annexure P5) by petitioners No.1 to 12 and he would be satisfied if the same is decided within a fixed time-frame and for petitioners No.13 to 26, the writ petition be treated as a representation.

Notice of motion.

Mr.R.S.Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Keeping in view the limited relief sought, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of, with a direction to respondent No.2 to treat the legal notice as a demand raised on behalf of all the petitioners and to decide the same within a period of 3 months from the receipt of a certified copy of this order. In case the benefits are to be denied, a speaking order be passed and the same be conveyed to the petitioners.

FEBRUARY 17, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE