

COCP No.3438 of 2014

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

COCP No.3438 of 2014

Date of Order: 01.05.2017

Gurmail Singh and Ors.

....Petitioners

Versus

Suresh Kumar, Secy to Govt of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rajesh Verma, Advocate for
Mr. Neeraj Sharma, Advocate for the petitioners.

JASWANT SINGH, J (ORAL)

The 46 applicants-petitioners were engaged on daily wage basis as Pump Operators on various Class IV posts during the period 1989-1996 in different offices of the Department of Water Supply and Sanitation, Punjab. Their services were regularized w.e.f 24.5.2011 in terms of existing Regularization Policy. They filed writ petition bearing No.16783 of 2012 for counting of their services rendered on daily wage basis towards pensionary benefits as also for treating them as appointees prior to 01.01.2004 and, therefore, entitled to pension under the Old Scheme, which was allowed vide order dated 21.8.2013 (P.1), in view of the decision dated 31.8.2010 passed by a Division Bench of this Court in CWP No.2371 of 2010 titled Harbans Lal Vs. State of Punjab and Others.

Since the needful was not done, this contempt petition was filed, which has been disposed of vide order dated 20.5.2015, in view of judgment passed by Division Bench of this Court in Harbans Lal's case (supra) having been stayed by Hon'ble

Supreme Court in the pending SLP filed by the State of Punjab. Liberty, however, was granted to the petitioners to revive the present contempt after the dismissal of the SLP, if need be.

Accordingly, application bearing CM No.25371-CII of 2015 was filed.

Upon notice of the application for revival, learned State counsel, on instructions from Sh. J.J. Goel, XEN, Water Supply and Sanitation Division, Rajpura, submits that the present application has also become infructuous as the benefit, in terms of judgment passed in Harbans Lal's case (supra), has since been granted to the petitioners, as all of them have been allotted the GPF Account Numbers.

In view of the aforesaid stand, learned counsel for the petitioner does not dispute the aforesaid factual position.

Accordingly, application bearing CM No.25371-CII of 2015 is dismissed as having become infructuous.

May 01, 2017
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No