

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

**CWP-10217-2016 (O&M)**

**Date of decision: 17.02.2017**

Sukhdev Singh and others

...Petitioners

Versus

State of Punjab & others

...Respondents

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Pankaj Bhardwaj, Advocate,  
for the petitioners.

Mr. L.S.Virk, Addl. A.G., Punjab.

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**JAISHREE THAKUR, J. (ORAL)**

The petitioners herein are working as Cooks / Barbers / Dhobis/ Sweepers / Water Carriers in Punjab Armed Police. The appointment of the petitioners initially was on daily wages/muster roll. Having worked for almost 25 years their services came to be regularised in the year 2009.

It is contended that the petitioners were forced to opt for new Contributory Pension Scheme despite the fact that they had been appointed much prior in time to the introduction of the said Scheme. It is argued that the new Contributory Pension Scheme would not be applicable to them by placing reliance upon a judgment rendered in '*Harbans Lal vs. State of Punjab and others*' (CWP No. 2371 of 2010) decided on 31.8.2010 and the same judgment has been confirmed by the Hon'ble Apex Court.

This writ petition has been filed for the benefits as given in the judgment referred to above to be made applicable to the petitioners herein.

Notice of motion was issued in the matter and by order dated 20.01.2017, the department concerned was directed to file an additional affidavit as to whether these petitioners would be covered under the judgment rendered in ***Harbans Lal's*** case (supra). Additional affidavit has been filed by Sh. Rakesh Chandra, Inspector General of Police, Commando, Punjab, Bahadurgarh, Patiala on behalf of respondents No. 3 & 4, wherein in para 3 it is submitted that the facts of the case would be fully covered by the ratio of the judgment rendered in ***Harbans Lal's*** case (supra).

In view of the affidavit filed, this petition is also disposed of in the same terms as ***Harbans Lal's*** case (supra).

**17.02.2017**

Satyawan

**(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes.  
No.