

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

CWP No.26202 of 2014(O&M)

Date of Decision:-06.02.2017

Narinderpal Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Gagneshwar Walia, Advocate for the Petitioners.

Mr. Harkesh Manuja, Additional Advocate General, Punjab.

JASWANT SINGH, J.(ORAL)

CM No.1536 of 2017 is for placing on record Judgment dated 19.01.2017 passed in CWP No.24688 of 2016 titled as Manjit Singh & Ors. Vs. State of Punjab & Ors. as Annexure **P-18** and Judgment dated 09.05.2016 passed in RA No.143 of 2016 passed in CWP No.24472 of 2015 titled as Constable Rajesh Kumar & Ors. Vs. State of Punjab as Annexure **P-19**.

Copy of the same furnished to the learned State Counsel, who has no objection in taking on record Annexures **P-18** & **P-19** which are admitted documents.

In view of the above, CM is allowed and Annexures **P-18** & **P-19** are taken on record.

CWP No.26202 of 2014

14 petitioners were engaged as Special Police Officers and posted as Security Guards in Punjab Gramin Bank during the period 1987 to 2001 in various districts of Punjab. Their prayer for treating them as Constables recruited by the Punjab Police instead of being bank employees was declined by a Division Bench of this Court, however, the Hon'ble Supreme Court vide judgment dated 7.8.2013 rendered in **Nihal Singh & Ors. Vs. State of Punjab & Ors.** (P-3) directing the State of Punjab to regularize the services of such like employees by creating necessary posts within a period of three months from the date of passing of the orders. Resultantly the services of the petitioners were regularized vide order dated 4.8.2014 (P-4) Colly regularizing their services as Constables w.e.f. 07.11.2013 in terms of the Hon'ble Supreme Court Order.

The claim of the petitioners in the present petition is for treating them as appointees prior to 1.1.2004 and thus entitled to the earlier pension scheme in the light of their previous engagement as SPOs on daily wage basis .

It is contended that the issue is squarely covered by the decision of a Division Bench of this Court rendered in **Harbans Lal Vs. The State of Punjab and others** reported as **2012 (3) S.C.T. 362**, which has attained finality.

It is further contended that the ratio of **Harbans Lal's case** (*supra*) has also been extended to the similarly situated Special Police Officers by a coordinate Bench of this Court rendered in CWP No.24472 of 2015 titled as **Constable Rajesh Kumar and others Vs. State of Punjab and another**, vide order dated 07.01.2016 (Annexure P-16), as even the

review filed against the said order (**P-16**) was dismissed vide order dated 09.05.2016 (Annexure **P-19**).

Upon notice, State has put in appearance through Sh. Harkesh Manuja, Additional Advocate General, Punjab. He does not dispute the aforesaid factual position, coupled with the facts of the present case that the matter is squarely covered by the decision rendered in Harbans Lal's case (*supra*), as also order dated 07.01.2016 (**P-16**).

In view of the aforesaid circumstances, the present writ petitions are disposed of in the same terms as in CWP No.24472 of 2015 (**P-16**).

(JASWANT SINGH)
JUDGE

February 06, 2017
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>