

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

CWP No.21129 of 2017 (O&M)

Date of decision: 18.09.2017

Dharminder Singh

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

Petitioner states himself to be serving as a Senior Assistant under the Punjab School Education Board.

Claim raised in the instant petition is that the services rendered on daily wage basis prior to regularization be treated as qualifying service for grant of retiral/pensionary benefits. Petitioner also seeks quashing of government letter dated 09.12.2011 (Annexure P-4), whereby the State Government has directed that the benefit of the old Pension Scheme is to be confined only to such employees, who came to be appointed on or before 01.01.2004.

Such decision apparently has been taken in view of the New Defined Contributory Pension Scheme which came into force w.e.f. 01.01.2004.

Case of the petitioner set up is that since his services were regularized w.e.f. August, 2004, therefore, he has a right to be governed of the Old Pension Scheme and not of the New Defined Contributory Pension Scheme.

Counsel contends that identical issue has been dealt with in CWP No.15827 of 2013 (Satnam Singh & others Vs. State of Punjab & others) and other connected petitions decided on 13.02.2017 (Annexure P-9).

In view of the above and without going into the merits of the case, I deem it appropriate to dispose of the instant writ petition in terms of granting liberty to the petitioner to file a comprehensive representation as regards his claim on the strength of judgement dated 13.02.2017 passed in Satnam Singh's case (supra). In the eventuality of any such representation being preferred, respondent No.3 would be obligated to examine the same and to take a final decision thereupon expeditiously and in any case within a period of four months from the date of submission of such representation.

Disposed of.

18.09.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

(i) Whether speaking/reasoned?	Yes
(ii) Whether Reportable?	No