

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

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CWP No.23450 of 2017 (O&M)

Date of Decision: 12.10.2017

Malkit Singh and others

....Petitioners

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Jasbir Singh Mohri, Advocate for the petitioners.

Mr. T.P.S. Chawla, DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

Notice of motion.

On the asking of the Court, Mr. T.P.S. Chawla, learned DAG, Punjab accepts notice. A complete copy of the paper book has been furnished to learned State counsel.

With the consent of the counsel for the parties, the writ petition is taken up for disposal today itself.

Brief factual matrix is that the petitioners were engaged as Special Police Officials by the Police Department, State of Punjab and subsequently, on their qualifying suitability test were enrolled as Constables from the source of Special Police Officials. The details in respect of all the petitioners as regards their initial date of joining as SPOs as also the dates of regularization as Constables have been furnished in a tabulation in para 8 of the writ petition.

The tabulation would demonstrate that the petitioners have been enrolled as Constables after 01.01.2004. On such basis, they

have sought to be governed under the New Re-structured Defined Contributory Pension Scheme introduced for the appointees of the Punjab Government after 01.01.2004.

Prayer is for a direction that the petitioners be governed under the Old Pension Scheme applicable to the appointees prior to 01.01.2004 by counting their previous period of engagement with the Punjab Government.

Counsel for the parties are *ad idem* that the claim raised in the present petition would be covered in terms of judgment rendered by this Court in **CWP No.24472 of 2015 (Contable Rajesh Kumar & others Vs. State of Punjab & another)** decided on 07.01.2016.

It has also gone uncontroverted that this Court on 17.07.2017 had disposed of a bunch of 32 petitions i.e. **CWP No.864 of 2017 (Constable Balwinder Singh & others Vs. State of Punjab & others)** and other connected petitions in terms of judgment rendered in **Constable Rajesh Kumar's case (supra)**.

In the light of such consensus, the instant writ petition is also disposed of in terms of order dated 17.07.2017 passed by this Court in CWP No.864 of 2017 and other connected petitions.

Disposed of

(TEJINDER SINGH DHINDSA)
JUDGE

12.10.2017
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Whether speaking/reasoned : **Yes**
Whether reportable : **No**