

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

CWP No.26345 of 2017

Date of decision : 17.11.2017

Harnek Singh and others

.....Petitioners

Versus

Punjabi University, Patiala

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Manu K. Bhandari, Advocate for the petitioners.

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DAYA CHAUDHARY, J. (Oral)

As per the averments made in the petition, the petitioners are aggrieved by the action of the respondent-University as the New Defined Contributory Pension Scheme has been made applicable to them on the pretext that they have been regularised by the respondent-University vide order dated 10.02.2016. As per amendment in the Punjab Civil Service Rules, all the employees who were regularly appointed after 01.01.2004 would be governed by the New Defined Contributory Pension Scheme introduced vide letter dated 12.12.2006 as has been held in judgment of Division Bench of this Court rendered in CWP No.2371 of 2010 titled as ***Harbans Lal and others Vs. State of Punjab and others*** decided on 31.08.2010 which has been upheld by Hon'ble the Apex Court.

Learned counsel for the petitioners submits that a legal notice dated 07.09.2017 (Annexure P-9) has also been served upon the respondent

but no action has been taken so far. The petitioners would be satisfied in case directions are issued by this Court to consider and decide the legal notice in accordance with judgment of ***Harbans Lal's*** case (supra).

Keeping in view the limited prayer of the petitioners, the present petition is disposed of with a direction to the respondent to consider legal notice dated 07.09.2017 (Annexure P-9) in view of judgment of ***Harbans Lal's*** case (supra) and take necessary action within a period of two months from the date of receipt of copy of order passed by this Court. In case the petitioners are found to be entitled, the relief be granted to them as granted to the other similarly situated persons within a period of two months thereafter.

17.11.2017

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No