

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.26685 of 2017(O&M)
Date of Decision: 22.11.2017

Constable Jaswinder Singh

--Petitioner

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. B.S. Sidhu, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The petitioner was engaged as a Special Police Officer under the Police Department, State of Punjab and subsequently on having qualified the suitability test was enrolled as Constable from the source of Special Police Officer. Petitioner has been enrolled as a Constable after 1.1.2004. On such basis he is sought to be governed under the New Restructured Defined Contributory Pension Scheme introduced for the appointees with the Punjab Govt. after 1.1.2004.

The prayer is for a direction that the petitioner be governed under the Old Pension Scheme applicable to the appointees prior to 1.1.2004 by counting his previous period of engagement with the Punjab Govt.

Counsel appearing for the petitioner contends that the issue is squarely covered by a Division Bench judgement of this Court rendered in ***Harbans lal Vs. The State of Punjab and others, 2012 (3) S.C.T 362*** and which has attained finality.

It is further contended that the ratio of ***Harbans Lal's*** case (supra) has already been extended to the similarly situated Special Police

Officers by a Coordinate Bench of this Court in ***CWP No.24472 of 2015***
(Constable Rajesh Kumar and others Vs. State of Punjab and another)

vide order dated 7.1.2016. Even the review application preferred against the order dated 7.1.2016 has been dismissed vide order dated 9.5.2016.

In view of such uncontroverted facts and circumstances, the present petition is disposed of in terms of ***CWP No.24472 of 2015***
(Constable Rajesh Kumar and others Vs. State of Punjab and another).

(TEJINDER SINGH DHINDSA)
JUDGE

22.11.2017

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No