

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

1. CWP No.27004 of 2017 (O&M) Date of Decision: 05.12.2017
Chanan Singh & others --Petitioners

Versus

State of Punjab and another --Respondents

2. CWP No.27285 of 2017 (O&M)
Constable Harjinder Singh --Petitioner

Versus

State of Punjab and another --Respondents

3. CWP No.27294 of 2017 (O&M)
Constable Gurdip Singh & others --Petitioners

Versus

State of Punjab and another --Respondents

4. CWP No.27295 of 2017 (O&M)
Baldev Singh --Petitioner

Versus

State of Punjab and others --Respondents

5. CWP No.27298 of 2017 (O&M)
Constable Ranjit Singh & others --Petitioners

Versus

State of Punjab and another --Respondents

6. CWP No.27302 of 2017 (O&M)
Constable Manjeet Kaur --Petitioner

Versus

State of Punjab and another --Respondents

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

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

Mr. T.P.S. Chawla, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of aforementioned writ petitions as the
facts involved are similar in nature and the relief sought is also identical.

The petitioners in these bunch of petitions were engaged as Special Police Officers by the Police Department, State of Punjab and subsequently on their qualifying the suitability test were enrolled as Constables from the source of Special Police Officers. All of them have been enrolled as Constables after 1.1.2004. On such basis they are 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 petitioners in these connected petitions be governed under the Old Pension Scheme applicable to the appointees prior to 1.1.2004 by counting their previous period of engagement with the Punjab Govt.

Counsel appearing for the petitioners in these petitions contend 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.

Learned State counsel, who is on instructions from ASI Rajesh Chopra, office of A.D.G.P/Armed BNS, Jalandhar Cantt., concedes to the fact that the petitioners in these bunch of petitions are on complete parity with the petitioners in ***CWP No.24472 of 2015 (Constable Rajesh Kumar and others Vs. State of Punjab and another)***.

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

(TEJINDER SINGH DHINDSA)
JUDGE

05.12.2017

lucky

Whether speaking/reasoned:	Yes
Whether Reportable:	No