

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

**CWP-27661-2017 (O&M)
Date of decision:14.12.2017**

Baldev Raj & others

... Petitioners

Vs.

State of Punjab & others

... Respondents

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

Present: Mr. Gagneshwar Walia, Advocate for the petitioners.

Mr. Avinit Avasthi, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Counsel at the very outset makes a statement that he is not pressing the instant petition qua petitioner No.17. Accordingly, the instant petition qua petitioner No.17, namely, Jaspal Singh S/o Ajit Singh stands dismissed.

Petitioners herein are stated to be Class IV daily wagers under the Police Department and whose services after their initial engagement had been duly regularized on different dates.

Claim set up in the writ petition is to count their daily wage service rendered prior to regularization as qualifying service for the purposes of pensionary/retiral benefits so as to hold them entitled to the pensionary benefits as per old GPF Scheme and which was applicable to the employees recruited in the Punjab Government service prior to 01.01.2004.

Petitioners claim that the prayer would be covered in terms of judgment dated 31.08.2010 passed by this Court in **CWP-2371-2010** titled

as **Harbans Lal Vs. State of Punjab & others**. The judgment rendered in **Harbans Lal's case (supra)** stands affirmed upto the Hon'ble Supreme Court.

Learned State counsel upon instructions from Sh. Devinder Singh, Deputy Superintendent of Police, ADGP Armed Battalion, Jalandhar Cantt. concedes to the claim of the petitioners being covered under the judgment rendered in **Harbans Lal's case (supra)**. Further it has been admitted that the judgment in **Harbans Lal's case (supra)** has already been implemented. Furthermore, even subsequent judgments/orders passed by this Court in **CWP-24472-2015 (Rajesh Kumar & others Vs. State of Punjab & others)**, **CWP-10376-2014 (Subhash Cahnder & 79 others Vs. State of Punjab)** and **CWP-20601-2014 (Rajinder Singh & others Vs. State of Punjab & others)**, which also involve identical issue have been implemented.

In the light of such conceded position, the present petition is allowed in terms of judgment dated 31.08.2010 passed by this Court in **Harbans Lal's case (supra)**.

Disposed of.

14.12.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No