

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

CM-10217-CWP-2018 in/and
CWP No.14027 of 2016 (O&M)
Date of decision: 27.07.2018

Radhe Shyam and others

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ranjivan Singh, Advocate for the petitioner(s).

Jitendra Chauhan, J. (Oral)

CM-10217-CWP-2018

The present CM is for preponing the main case and disposal of the same in terms of judgment dated 17.11.2017 (Annexure A-1) and judgment dated 21.04.2018 (Annexure A-2).

Notice in the application(s).

At the asking of the Court, Ms. Deepali Puri, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

At this stage, Mr. Vishal Khatri, Advocate appears and accepts notice on behalf of respondent No.3.

Heard.

Learned counsel for the respondents state that they have no

objection in case the present CM is allowed.

Keeping in view the above, the instant application is allowed and the main petition is taken on today's Board.

Main Case

By way of the present petition, the petitioners seek issuance of a writ in the nature of certiorari for quashing syndicate's decision taken in its meeting held on 30.12.2014 approved vide para No.31.12 (Annexure P-5) and subsequent letter No.10938-11138/Accounts-8 dated 10.02.2016 (Annexure P-7) whereby New Contributory Pension Scheme was imposed upon the petitioners.

Learned counsel for the petitioners states that at this stage he would be satisfied in case the respondents are directed to consider the case of the petitioners in the light of observations made in CWP-2371-2010 titled as **Harbans Lal Vs. State of Punjab and others**, decided on 31.08.2010, CWP-26345-2017 titled as **Harnek Singh and others Vs. Punjabi University, Patiala** (Annexure A-1), decided on 17.11.2017 and **Subhash Chand and others Vs. Punjabi University and others**, decided on 21.04.2018 (Annexure A-2).

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to the respondents to consider the case of the petitioner(s) in the light of assertion made. If, on consideration, the competent authority reaches to the conclusion that the case of the petitioners is covered by the ratio of

law laid down in the above said judgments, in that eventuality, the competent authority is directed to pass the consequential order within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter.

27.07.2018

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(JITENDRA CHAUHAN)
JUDGE

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