

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.112

Civil Writ Petition No.113 of 2018
DECIDED ON: January 10, 2018

SURJEET SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Neeraj Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Certiorari thereby quashing the condition imposed vide order dated February 27, 2007 (P-1) to the effect that “*New Contributory Pension Scheme shall be applicable*” while enlisting the petitioner from Special Police Officer (SPO) as Constable in Punjab Armed Police is illegal in view of judgment passed by this Court in CWP No.24472 of 2015 titled as *Constable Rajesh Kumar and others vs. State of Punjab and another* (P-4) whereby it has been held that the entire service rendered as Special Police Officer followed by enlistment as Constable shall be counted as qualifying period of service for pensionary benefits relying upon the law laid down by Division Bench of this Court in CWP No.2371 of 2010, titled as *Harbans Lal vs. State of Punjab & ors.* dated August 31, 2010 (P-3).

Civil Writ Petition No.113 of 2018

2. Learned counsel for the petitioner contends that a legal notice dated August 22, 2017 (P-7) was made to the respondents but no final decision has been taken by the concerned authorities till date.
3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondents No.3 & 4 to decide above said legal notice (P-7) in a time bound manner.
4. Instant petition is disposed of with a direction to respondents No.3 & 4 to look into the grievances unfolded by the petitioner in his legal notice dated August 22, 2017 (P-7) and take a conscious decision by passing a speaking order as per rules and regulations issued by the Government as well as in the light of judgments mentioned in the aforesaid legal notice, within a period of three months from the date of receipt of a certified copy of this order.
5. However, if petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

January 10, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**