

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

Sr. No.120

Civil Writ Petition No.22436 of 2018
DECIDED ON: September 05, 2018

REENU RANA AND ANOTHER

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Narinder S. Lucky, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought issuance of a writ especially in the nature of Certiorari thereby declaring para no.4 of Instructions dated 12.12.2006 (P-2) issued by the Government of Punjab, by which the Contributory Pension Scheme introduced by respondents has been made applicable retrospectively and petitioners have right to get pension under Punjab Civil Services Rules and also right of the petitioners to claim family pension after the death of their husbands because their husbands are governed under Old Pension Scheme, applicable to the appointed prior to 01.01.2004 and the controversy involved in this case is squarely covered by the judgments passed by this Court in CWP-2371-2010 titled as *Harbans Lal Vs. State of Punjab and others*, decided on 31.08.2010 (Annexure P-3), CWP-11802-2008, titled as *Paramjit Kaur Vs. State of Punjab and others*, decided on 11.05.2016 and CWP-29941-2017

Civil Writ Petition No.22436 of 2018

titled as ***Rupinder Kaur & ors. vs. State of Punjab & ors.***, decided on 02.02.2018 (P-5 colly) WITH FURTHER to count daily wage service of their late husbands, who had rendered before their respective regularization as qualifying service more than 15 years and to release the retiral benefits of their late husbands, if any, along with interest @ 18% p.a.

2. Learned counsel for the petitioners contends that though a representation was made to the respondents on 23.05.2018 (P-4) but till date no conscious decision has been taken thereon. He further submits that they feel satisfied in case a direction is issued to respondents to decide the above said representation (P-4), in a time bound manner.

3. Instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioners in the representation dated 23.05.2018 (P-4) and to take a conscious decision by passing a speaking order as per the judgments referred to above in para no.1 of this order, within a period of three months from the date of receipt of a certified copy of this order.

4. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

September 05, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**