

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

**Civil Writ Petition No.28871 of 2017 (O&M)
Date of Decision: 23.01.2018**

Gurmeet Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Jasbir Singh Mohri, Advocate for the petitioners.

Ms. Ishneet Kaur, Assistant Advocate General, Punjab
for the respondents.

JASWANT SINGH, J. (Oral)

The 10 petitioners herein were initially appointed as Class-IV employees on daily wage basis during 1990 to 1996 by the Police Department, Punjab. All of them have been regularized during 2006 to 2011, therefore, they are sought to be governed under the New Restructured Defined Contributory Pension Scheme introduced for the appointees with the Punjab Government after 01.01.2004. Their prayer is for a direction that they have to be governed under the Old Pension Scheme applicable to the appointees prior to 01.01.2004 by counting their previous periods of engagement with the Punjab Government.

It is contended that the issue is squarely covered by the decision of a Division Bench of this Court rendered in '**Harbans Lal Vs. The State of Punjab and others**', reported as **2012 (3) S.C.T. 362**, which has attained finality. It is further contended that the ratio of Harbans Lal's case (supra) has

also been extended to the similarly situated employees by a coordinate Bench of this Court rendered in CWP No.24472 of 2015 titled as '**Constable Rajesh Kumar and others Vs. State of Punjab and another**', vide order dated 07.01.2016, as even the review filed against the said order was dismissed vide order dated 09.05.2016.

Ms. Ishneet Kaur, Assistant Advocate General, Punjab, who is present in Court, does not dispute the aforesaid factual position, coupled with the facts of the present case that the matter is squarely covered by the decision rendered in Harbans Lal's case (supra), as also order dated 07.01.2016.

In view of the aforesaid circumstances, the present writ petition is disposed of in the same terms as in CWP No.24472 of 2015 decided on 07.01.2016.

January 23, 2018

Gagan

(JASWANT SINGH)
JUDGE

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