

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

CWP No.29812 of 2017 (O&M)

Date of decision: 02.02.2018

Constable Kashmir Singh and others

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Sidhu, Advocate for the petitioner(s).

Mr. Suvir Sheokand, Addl. A.G., Punjab.

Jitendra Chauhan, J. (Oral)

By way of the present petition, the petitioners seek issuance of directions to the respondents to count daily wage service of the petitioners rendered before regularization as qualifying service for the purpose of pensionary/retiral benefits and consequently permit the petitioners to continue in the old GPF Scheme.

During the course of hearing, learned counsel for the petitioner(s) has asserted that the claim of the petitioners is squarely covered by the judgment passed in CWP-2371-2010 titled as **Harbans Lal Vs. State of Punjab and others**, decided on 31.08.2010 (Annexure P-6) and CWP-24472-2015 titled as **Constable Rajesh Kumar and others Vs. State of Punjab and another**, decided on 07.01.2016.

Learned State counsel does not controvert the assertion raised by learned counsel for the petitioner(s).

Heard.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent(s)- State to treat the present petition as a representation and take a decision whether the case of the petitioners is covered by the ratio of law laid down in Harbans Lal's case and Const. Rajesh Kumar's case (supra). In case, on consideration, the competent authority reaches to the satisfaction that the case of the petitioners is covered by the above said judgments, then consequential order be passed within a period of four 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.

02.02.2018

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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