

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

CWP No.29941 of 2017 (O&M)

Date of decision: 02.02.2018

Rupinder Kaur and others

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Mohri, Advocate for the petitioner(s).

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

Jitendra Chauhan, J. (Oral)

CM-931-CWP-2018

Learned counsel for the petitioners states that he is not pressing the instant petition qua petitioner No.24-Paramjit Kaur.

Ordered accordingly.

Main Case

By way of the present petition, the petitioners seek issuance of a writ in the nature of certiorari thereby declaring para No.4 of the instructions dated 12.12.2006 (Annexure P-6) issued by the Government of Punjab, by which the Contributory Pension Scheme introduced by respondents has been made applicable retrospectively, vide which they acquired right of the late husbands as mentioned in detail chart (Annexure P-1), died while on their service period, who are reflected at Sr. No.2 in report dated 15.03.2017 (Annexure P-11), issued by respondent No.2

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-7), CWP-11802-2008, titled as **Paramjit Kaur** Vs. **State of Punjab and others**, decided on 11.05.2016 (Annexure P-8) and CWP-24472-2015 titled as **Constable Rajesh Kumar and others** Vs. **State of Punjab and another**, decided on 07.01.2016 (Annexure P-13 colly.) He further states that, at this stage, he will be satisfied in case the competent authority is directed to consider and decide the case of the petitioner(s) in the light of above said judgment, within a specified time.

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

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent(s)-State 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 at par with the petitioners in the above said judgments, the competent authority is directed to pass the consequential order 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