

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

CWP No.3728 of 2017 (O&M)

Date of decision: 02.02.2018

Constable Masik Khan and others

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.K. Kapila, 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-4) and CWP-24472-2015 titled as **Constable Rajesh Kumar and others Vs. State of Punjab and another**, decided on 07.01.2016 (Annexure P-7). 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

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(JITENDRA CHAUHAN)
JUDGE

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