

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

Sr. No.110

Civil Writ Petition No.4101 of 2018
DECIDED ON: February 26, 2018

LAKSHMI AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ especiall in the nature of certiorari thereby declaring para No.4 of Instruction dated December 12, 2006 (P-3) issued by the Government of Punjab, by which the Contributory Pension Scheme introduced by the respondents has been made applicable restrospectively, vide which they acquired right of the late husbands, as mentioned in detail chart (P-1), died while on their service period, further petitioners have right to get pension and family pension under the Punjab Civil Services Rules after the death of their husbands AND further directing the respondents to count the daily wage service of Late husbands of the petitioners, who had rendered before

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their respective regularization as qualifying service more than 15 years as mentioned in detail chart (P-1) as well as to release the gratuity to the petitioners along with interest @ 18% per annum.

2. Learned counsel for the petitioners contends that though representation was made to the respondents on July 17, 2017 (P-11) but till no conscious decision has been taken so far. Learned counsel for the petitioners further submits that they feels satisfied in case a direction is issued to respondents No.2 & 3 to decide the aforesaid representations (P-11) in the light of the judgment in case ***Harbans Lal vs. The State of Punjab & ors., CWP No.2371 of 2010***, decided on August 31, 2010 passed by the Division Bench of this Court, within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents No.2 & 3 to look into the grievances unfolded by the petitioner in the aforesaid representation dated July 17, 2017 (P-11) and to take a conscious decision by passing a speaking order in the light of the judgment ***Harbans Lal's case (supra)***, within a period of four months from the date of receipt of a certified copy of this order. In case of non compliance of this order, petitioners shall be at liberty to approach this Court.

February 26, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**