

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.4256 OF 2018
DECIDED ON: FEBRUARY 22, 2018

RAJBIR KAUR AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amandeep Singh Manaise, Advocate,
for the petitioners.

JASPAL SINGH, J

Through instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought issuance of a writ especially in the nature of mandamus, directing the respondents to count the daily wage service of the deceased employees (husbands of petitioners) as SPOs immediately prior to their regularization towards qualifying service for the purpose of pension and retiral benefits as per law laid down in ***“Kesar Chand v. State of Punjab”*** 1988 (2) PLR 223. AND further directing the respondents to provide GPF Scheme to the deceased employees (husbands of petitioners) as applicable to the employees recruited in Punjab Government Service prior to 01.01.2004 as per law laid down in ***“Harbans Lal v. State of Punjab and ors”*** CWP 2371 of 2010 decided on 31.08.2010 and to release all the consequential pensionary and retiral benefits with arrears along with interest @ 9% per annum on delayed

payment.

2. At the very outset, learned counsel for the petitioners submits that petitioners feel satisfied in case direction is issued to respondent No.2 to decide legal notice dated 22.12.2017 (Annexure P-5), within a stipulated period.

3. Without expressing any opinion on the merits of the case, the instant petition is disposed of with the direction to respondent No.2-The Director General of Police, Punjab Police Head Quarters, Sector -9, Chandigarh to look into the grievances unfolded by the petitioners in legal notice dated 22.12.2017 (Annexure P-5) and to take a conscious decision, in accordance with Service Rules as well as in the light of "**Kesar Chand's** case (supra) and **Harbans Lal's** case (supra), within a period of 3 months from the date of receipt of certified copy of this order.

4. However, if the petitioners still feel aggrieved against any of the order(s) passed by the concerned authority, they shall be at liberty to have recourse to the other remedies available to them as well as to approach this Court.

FEBRUARY 22, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>