

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

Sr. No.111

Civil Writ Petition No.5006 of 2018
DECIDED ON: March 19, 2018

CHARAN SINGH AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gagneshwar Walia, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of Mandamus directing the respondents to grant pensionary/retiral benefits including pension, gratuity, provident fund, leave encashment along with arrears to the petitioners by considering them having deemed to be regularized in terms of judgment passed by the Hon'ble Apex Court in cases of similarly and identically situated employees in **Nihal Singh's case** (Civil Appeal No.1509 of 2005) decided on 07.08.2013 (P-3) and furthermore the petitioners be held entitled to receive pensionary benefits as per the old GPF scheme which was applicable to the employees recruited in Punjab Government prior to 01.01.2004 by counting the entire daily wage service rendered by them as SPOs Bank Guards prior to their deemed regularization/retirement as qualifying service for the purposes of pensionary/retiral benefits, in terms of judgment dated 31.08.2010 passed by the Division Bench of this Court in CWP No.2371 of 2010, captioned as

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Harbans Lal vs. State of Punjab and furthermore their claim/case being squarely covered by the decision dated 06.02.2017 passed by this Court in CWP No.26202 of 2014 i.e. **Narinderpal Singh & ors. vs. State of Punjab & ors.** (P-4) whereby similar benefit to identically situated SPOs bank guards having been regularized under the order of Hon'ble Supreme Court in case Nihal Singh's case (supra) has already been granted by this Court.

2. Learned counsel for the petitioners contends that though a representation was made to the respondents on September 15, 2017 (P-5) but till date neither any reply to the said representation has been received nor any final order has been passed by the respondents. He further submits that they feel satisfied in case a direction is issued to respondents No.2 to decide the aforesaid representation (P-5) in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.2- The Director General of Police, Punjab, Sector 9, Chandigarh to look into the grievances unfolded by the petitioners in the representation dated September 15, 2017 (P-5) and to take a conscious decision by passing a speaking order particularly in view of the judgments referred in the aforesaid representation (P-5), within a period of three months from the date of receipt of a certified copy of this order. In case non-compliance of this order, petitioners shall be at liberty to approach this Court.

March 19, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**