

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.5940 of 2018

Date of Decision:-03.04.2018

Jasvir Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Baksh Mohindra, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner herein was engaged as Special Police Officer (SPO) i.e. Class-IV employee on Daily Wage basis during the year 1993 by the Punjab Police. His services were regularized in the year 2005, therefore, he is sought to be governed under the new restructured defined Contributory Pension Scheme introduced for the appointees after 01.01.2004. The prayer of the petitioner is for a direction that he be governed under the old pension scheme applicable to the appointees prior to 01.01.2004 by counting his previous periods of engagement with the Punjab Armed Police.

It is contended that the issue is squarely covered by the decision of a Division Bench of this Court rendered in **Harbans Lal Vs. The State of Punjab & Ors. 2012(3) S.C.T. 362** which has attained finality.

On the asking of the Court, Mr. Manoj Bajaj, Additional Advocate General, Punjab who is present in Court accepts notice and on instructions from Mr. Rajesh Chopra, Court Clerk, O/o ADGP Armed Batallion, Jalandhar concedes that the case of the petitioner is squarely covered by the ratio of Harbans Lal's case (supra) and after counting of his previous total periods of engagement, he is to be considered as appointee prior to 01.01.2004 and, therefore, governed under the old pension scheme.

In view of the aforesaid circumstances, the present writ petition is disposed of in the same terms as in Harbans Lal's case (supra).

(JASWANT SINGH)
JUDGE

April 03, 2018
Vinay

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