

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

CWP No.5961 of 2018

Date of Decision:-03.04.2018

Constable Gurdeep Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Baljeet Singh Sidhu, Advocate for the Petitioners.

JASWANT SINGH, J.(ORAL)

12 Petitioners herein were engaged as Special Police Officers (SPOs) i.e. Class-IV employees on Daily Wage basis during the period from 1992 to 1996 i.e. prior to 2004 by the Punjab Police. The services of all of them have been regularized during the period 2004 to 2010, therefore, they are sought to be governed under the new restructured defined Contributory Pension Scheme introduced for the appointees after 01.01.2004. The prayer of the petitioners is for a direction that they be governed under the old pension scheme applicable to the appointees prior to 01.01.2004 by counting their 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.**

finality.

Notice of motion.

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 Bataillion, Jalandhar concedes that the case of the petitioners is squarely covered by the ratio of Harbans Lal's case (supra) and after counting of their previous total periods of engagement, they are to be considered as appointees 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