

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

CWP No.6044 of 2018

Date of Decision:-27.03.2018

Nirmal Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Karambir Singh Kahlon, Advocate for the Petitioners.

JASWANT SINGH, J.(ORAL)

38 Petitioners herein were engaged as Cook, Dhobi, Barber, Sweeper, Tailor Master, Water Carrier etc. i.e. Class-IV employees on Daily Wage basis during the period from 1988 to 1997 i.e. prior to 2004 by the Punjab Armed Police. The services of all of them have been regularized during the period 2009 to 2014, 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.

Upon notice Mrs. Lavanya Paul, Assistant Advocate General, Punjab who is present in Court assisted by Mr. Rajesh Chopra, Court Clerk, O/o ADGP Armed Batallion, 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

March 27, 2018
Vinay

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