

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3304-2019

Date of decision: - 06.02.2019

Rajwinder Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. D.S. Kahlon, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner states that husband of the petitioner was working as a Chowkidar with the respondents since 1993 and his services were regularized on 21.06.2007. Thereafter, unfortunately husband of the petitioner died on 19.06.2016 while in service.

It has been averred in the petition that despite the fact that more than 2½ years have been elapsed, no benefit has been given to the petitioner in respect of the said service, which her husband had rendered from 1993 till 2016.

Counsel for the petitioner states that case of husband of the petitioner for the grant of pension is covered in view of the settled principle of law settled by a Division Bench of this Court in **Harbans Lal**

Vs. State of Punjab and others, in CWP No.2371 of 2010, decided on 31.08.2010, according to which, an employee who was appointed prior to 01.01.2004, though regularized after the said date, will be entitled for the benefit of Old Pension Scheme.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, the petitioner has made the representations dated 07.11.2018 (Annexure P-5) and dated 14.01.2019 (Annexure P-7) to the respondents, which are still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representations.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the representations dated 07.11.2018 (Annexure P-5) and dated 14.01.2019 (Annexure P-7) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

February 06, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No