

CWP No. 3613 of 2019
Date of decision : 08.02.2019

Gurpreet Singh and others **Petitioners**

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.P.K.Goklaney , Advocate for the petitioners.

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioners are serving on the post of Clerks/Safai Sewaks under the Municipal Council, Nagar Panchayat Badhni Kalan, District Moga.

It is the contention raised by counsel that the petitioners would not be covered under the New Contributory Pension Scheme dated 12.12.2006 (Annexure P-2) as the petitioners came into service much prior to 01.01.2004.

Prayer is for directing the respondents to open the account of the petitioners under the GPF Scheme and the entire amount deducted under CPF Scheme to be transferred along with interest in their GPF accounts so that the petitioners may get benefit of pension and other retiral benefits under the Old Pension Scheme.

Counsel further argues that the claim of the petitioners would be covered in terms of judgment dated 31.08.2010 rendered by a Division Bench of this Court in CWP No. 2371 of 2010 (Harbans Lal vs. The State of Punjab and others)-Annexure P-5.

Prayer is made that a notice dated 14.12.2018 has already been served and the petition be disposed of by issuing directions to the respondent-authorities to take final decision thereupon within a stipulated time frame.

Prayer made by counsel is found to be just and reasonable.

Without even ascertaining the correctness of the averments made in the writ petition, I deem it appropriate to dispose of the writ petition with a direction to respondent No.3 i.e. the Executive Engineer, Municipal Council, Nagar Panchayat Badhni Kalan, District Moga, to examine the grievance of the petitioners against the backdrop of notice dated 14.12.2018 (Annexure P-11) and to take a decision thereupon within a period of four months from the date of receipt of a certified copy of this order.

It is, however, clarified that this Court has not examined the claim of the petitioners on merits.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

February 08, 2019
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No