

Sr. No.118

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

CWP No.24355 of 2019 (O&M)

Date of Decision: 05.09.2019

Sanjeev Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. R.K.Arora, Advocate,
for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioner herein seeks issuance of a writ in the nature of certiorari to quash the action of the respondents for not allowing him the benefit under Old Pension Scheme and GPF Scheme admissible prior to 01.01.2004.

2. Learned counsel for the petitioner further prays for issuance of directions to the respondents to allow benefit to the petitioner under Old Pension Scheme instead of applying New Pension Scheme.

3. Learned counsel for the petitioner states that petitioner was appointed vide appointment letter dated 30.12.2003 and joined service on 31.12.2003 i.e. prior to 01.01.2004.

4. In the premise, petitioner had caused a representation dated 23.02.2017 but the same was not adverted by the respondents till date. Hence, the writ petition.

5. Notice of motion.
6. On advance service of the petition, Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.
7. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.
8. Without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent No.1 to pass a speaking order particularly keeping in view the recommendations contained in letter dated 22.06.2017 (Annexure P-7) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation, in accordance with law.
9. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.
10. Disposed of in above terms.

05.09.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No