

Civil Writ Petition No. 26933 of 2019(O&M)

Date of Decision : 20.09.2019

Yogesh Kumar & Ors.

... Petitioners

versus

State of Punjab & Ors.

... Respondents

CORAM:-HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. J.S. Mohri, Advocate
for the petitioners.

Ms. Ambika Bedi, AAG Punjab.

ARUN MONGA, J(ORAL)

1. The petitioners herein, *inter alia*, pray for issuance of a writ in the nature of *mandamus* directing the respondents to count the service rendered by them as daily wagers, before their services were regularized. It is further prayed by the petitioners that new Contributory Pension Scheme notified by the Government would not apply to them and they be permitted to continue in the old General Provident Fund Scheme. It is further the case of the petitioners that they are entitled to pensionary benefits as are applicable to the employees recruited prior to 01.01.2004 in view of the judgment rendered by Division Bench of this Court in **Harbans Lal Vs. State of Punjab & Ors. (CWP No. 2371 of 2010, decided on 31.08.2010)**

In the premise, the petitioners also submitted representation dated 25.07.2019 (Annexure P-9), but the same has not been adverted by the respondents.

2. Notice of motion.

3. Ms. Ambika Bedi, AAG Punjab puts in appearance on behalf of respondents.

4. Given the nature of order being passed, no further proceedings or pleadings are required.

5. Without commenting on the merits of the case, writ petition is disposed of with a direction to respondents to pass a speaking order by objectively considering the contentions as raised in the representation dated 25.07.2019 (Annexure P-9) along with the contents of the instant writ petition by treating the same as supplementary representation, in accordance with law.

6. Let the needful be done within a period of three months from the date of receipt of certified copy of this order.

20.09.2019

Jiten

(ARUN MONGA)
JUDGE

- | | | |
|----|-----------------------------|---------|
| 1. | Whether speaking/ reasoned: | Yes/ No |
| 2. | Whether reportable: | Yes/ No |