

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

**CWP NO. 35323 OF 2019
DATE OF DECISION : 05.12.2019**

Gian Chand

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Madhav Pokhrel, Advocate,
for the petitioner.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

ARUN MONGA, J.(ORAL)

By way of instant petition, the petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to grant him the benefit of old pension scheme under Pension Rules as applicable in the year 2003, when his name was recommended for the post of Workshop Attendant in pursuance to the selection list dated 24.09.2003 (Annexure P-2).

2. Learned counsel for the petitioner contends that case of the petitioner is squarely covered by judgment rendered by this Court in CWP No. 1244 of 2011 decided on 06.05.2011 (Annexure P-5), which attained finality, as intra court appeal filed against the same, has been dismissed vide judgment dated 08.11.2012 (Annexure P-6).

3. The petitioner also submitted representation dated 28.03.2019 (Annexure P-5), but the same has not been adverted

to by the respondents. Hence the petition.

4. Notice of motion.

5. On advance service of copy of petition, Ms. Monica Chhibber Sharma, Senior Deputy Advocate General, Punjab has put in appearance on behalf of respondent-State.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority/respondents to objectively consider the representation dated 28.03.2019 (Annexure P-5) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation, in the light of judgment, *ibid* and pass a speaking order, in accordance with law.

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

9. Disposed of in above terms.

(ARUN MONGA)
JUDGE

DECEMBER 05, 2019
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No