

CWP-36735-2019

1

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

**CWP No.36735 of 2019 (O&M)
Date of Decision: 18.12.2019**

Avtar Singh and another

..... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Baljeet Singh Sidhu, Advocate,
for the petitioners.

Mr.Mehardeep Singh, Addl. A.G.Punjab.

ARUN MONGA, J.(ORAL)

1. Petitioners herein seeks issuance of a writ in the nature of mandamus directing the respondents to count the daily wage service of the petitioners rendered before regularisation as qualifying service for the purpose of pension/retiral benefits and also grant them benefits of old General Provident Fund Scheme which is application to the employees recruited in Punjab Govt.Service prior to 01.01.2004.

2. Learned counsel for the petitioners states that the case of the petitioner is squarely covered by the Judgment of this Court rendered in CWP No.2371 of 2010 titled as **Harbans Lal vs. State of Punjab** and others decided on 31.08.2010 (Annexure P-6).

3. He further submits that the petitioners submitted representation dated 18.05.2018 (Annexure P-7) but the same has not been adverted by the respondents till date. Hence, the present writ petition.

4. Notice of motion.

5. On advance service of the petition, Mr.Mehardeep Singh, Add.A.G., Punjab, appears and accepts notice on behalf of the State.

6. 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.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the representation dated 18.05.2018 (Annexure P-7) and by keeping in mind the Judgment contained at Annexures P-6 and also keeping in view the contentions raised in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

8. Let the needful be done within a period of 3 months from the date of receipt of certified copy of this order.

9. Disposed of in above terms.

December 18, 2019

dharamvir

(Arun Monga)
Judge

Whether speaking/reasoned:
Whether Reportable :

Yes/No
Yes/No