

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

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**CWP No.11142 of 2020
Date of decision:31.7.2020**

Surjit Kaur

.....Petitioner

Vs

State of Punjab and ors

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Jasbir Singh Mohri, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks issuance of appropriate directions in the nature of mandamus directing the respondents to count part time service of the petitioner, while computing total period of service rendered for the purposes of regularization and for qualifying service for the purpose of pensionary/ retiral benefits.

Petitioner is retiring today i.e. 31.7.2020. Petitioner claims that her case for counting qualifying service for the purpose of pensionary/ retiral benefits has to be counted under old GPF scheme and the New Restructured Defined Contribution Pension Scheme dated 2.3.2004 and instructions

dated 12.12.2006 relating to New Contributory Pension Scheme would not apply. Petitioner seeks to rely upon the law laid down in **CWP No. 2371 of 2010** titled **Harbans Lal vs. State of Punjab and others** decided on 31.8.2010.

For the relief in question, the petitioner has already approached the respondents by way of representation dated 31.10.2019 and the same has not been decided so far.

Notice of motion.

On the asking of Court, Mr.T.P.S.Chawla, DAG, Punjab accepts notice on behalf of the respondents.

In view of nature of order, which this Court proposes to pass there is no necessity of calling upon reply at this stage, as no order prejudicial to the interest of respondents is being passed.

This petition is disposed of with a direction to the respondents to decide the representation dated 31.10.2019 moved by the petitioner (Annexure P-8) in accordance with law within a period of three months from the date of receipt of certified copy of this order.

July 31 , 2020

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Whether reasoned/speaking

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No