

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

CWP No.12730 of 2020 (O&M)

Date of decision: 26.08.2020

Shamsher Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. P.S. Khurana, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

Petitioner Shamsher Singh, aged about 62 years, who had retired as Kohar/Waterman on 31.03.2020 has brought the present civil writ petition under Article 226/227 of the Constitution of India, craving for issuance of direction to the respondents i.e. State of Punjab, Department of School Education, Sector-62, SAS Nagar, Mohali through its Principal Secretary, Director Public Instructions (Secondary Education), Sector-62 (Phase VIII), SAS Nagar, Mohali and District Education Officer, Ludhiana to consider his claim for pension and other benefits under old scheme existing prior to 01.01.2004 in view of the law laid down by this Court in case **Harbana Lal Vs. State of Punjab and others, 2012 (3) SCT 362** (Annexure P-6)

Notice of motion.

Ms. Anju Arora, Addl. AG, Punjab, accepts notice on behalf of respondent-State.

Heard.

Keeping in view the facts and circumstances of the case and in order to enable the respondents to consider the claim of the petitioner as per law and for the purpose of avoiding unnecessary litigation between the parties, the present writ petition is disposed of, directing the respondents to consider and decide the legal notice (Annexure P5) of the petitioner as per law and if some consequential action is required to be taken, then the needful be done within a period of two months from the date of receipt of copy of order.

26.08.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No