

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(106-3)

CM-6723-CWP-2020 in/and
CWP-26291-2019
Date of Decision: July 30, 2020

Surinder Kumar and others

.. Petitioners

Versus

Punjabi University, Patiala and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ranjivan Singh, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

File has been taken for hearing through video conference due to
Covid-19 pandemic.

CM-6723-CWP-2020

Present application has been filed for preponing the date of
hearing of the main writ petition i.e. CWP No. 26291 of 2019, which stands
adjourned to 09.09.2020.

Notice of the application to the counsel opposite.

Mr. Vishal Khatri, Advocate, who has joined the proceedings
through video conference, accepts notice on behalf of respondent-
University and raises no objection for the grant of prayer as raised in the
present application.

Keeping in view the above, application is allowed and the
hearing of the main writ petition i.e. CWP No.26291 of 2019 is preponed to
today.

CWP-26291-2019

Learned counsel for the petitioners states that petitioners are entitled for the pensionary benefits under the Old Pension Scheme, which was applicable in the respondent-University prior to 01.01.2004. Learned counsel further states that similarly situated employees have already been allowed the relief as being prayed by the petitioners herein, keeping in view the decision of the Syndicate taken on 27.02.2019 (Annexure P-12). Learned counsel for the petitioners submits that the petitioners have already raised this grievance before the respondent-University through legal notice dated 05.08.2019 (Annexure P-16 Colly), which is still pending consideration with the respondent-University and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondent-University to decide the said legal notice dated 05.08.2019 (Annexure P-16 Colly) in a time bound manner by passing an appropriate speaking order.

Learned counsel appearing on behalf of the respondent-University raises no objection with regard to the prayer of the petitioners for deciding the legal notice dated 05.08.2019 (Annexure P-16 Colly) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioners, respondent No.1 is directed to decide the legal notice dated 05.08.2019 (Annexure P-16 Colly) by passing a speaking order within a period of three months from the date of receipt of copy of this order. In case after the decision, it is found that the petitioners are entitled for any monetary

benefit, the same shall also be released to them within a period of next three months.

Writ petition stands disposed of accordingly.

July 30, 2020
harsha/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No