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

CWP-4912-2021 (O&M)
Date of decision : 24.03.2021

Satish Kumar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

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

G.S. SANDHAWALIA, J. (ORAL)

CM-4710-CWP-2021

This is an application for placing on record Annexure P-10, in terms of order dated 02.03.2021.

Application is allowed.

Annexure P-10 is taken on record, subject to all just exceptions.

Main case

The petitioners were appointed as Special Police Officers (SPOs) during the year 1992-93 and were absorbed on regular basis on the post of Constables during the years 2004-10. Since the year 2004 a new Contributory Pension Scheme had been introduced w.e.f. 01.01.2004, therefore, the petitioners had been making contributions out of their salary towards the said scheme. However, since some of the petitioners had approached this Court seeking a direction that they should be governed by the Old Pension Scheme, the said writ petition was accepted and it was ordered that they be governed by the Old Pension Scheme vide order dated 17.07.2017 (Annexure P-6).

Pursuant to acceptance of the said writ petition, the petitioners requested for release of the amount which they had contributed in Contributory Pension Scheme but the same has not been released so far compelling the petitioners to serve a legal notice dated 28.10.2020 (Annexure P-7) upon respondent No.2.

Learned counsel for the petitioners has further pointed out that in CWP-15003-2020, titled as Parveen Kumar and others Vs. State of Punjab and others, similar directions were issued on 21.09.2020 (Annexure P-8) and the same have been decided by the respondents and the writ petitioners in those cases have been granted the necessary relief.

Notice of motion to respondents.

At this stage, Ms. Monica Chhibber Sharma, Sr. DAG, Punjab, accepts notice on behalf of respondents.

Having regard to the facts and circumstances of the case this Court does not feel the necessity of calling for response of the State. The petition is disposed of with a direction to Director General of Police, Punjab-respondent No.2/competent authority to consider and decide the legal notice dated 28.10.2020 (Annexure P-7) in accordance with law expeditiously, preferably within a period of 2 months from receipt of copy of this order. In case anything is found due to be paid to the petitioners, the same be paid to them within a period of 3 months thereafter.

24.03.2021

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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No