

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

**CWP No.5852 of 2021
Date of Decision:15.03.2021**

Barnjit Singh

...Petitioner

Versus

State of Punjab & ors.

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Sapan Dhir, Advocate,
for the petitioner.

MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, the petitioner seeks the indulgence of this Court for issuance of a writ in the nature of certiorari quashing/setting aside the order dated 14.08.2008 (Annexure P-7) as issued by respondent No.2, whereby he has been allotted the membership number under the “Defined Contributory Pension Scheme” and he has made a further prayer for issuance of a writ in the nature of mandamus directing the respondents to restore the benefit of GPF and pension as envisaged under the Old Scheme, while averring that at the time of his induction in the service, Old Pension Scheme was made applicable to him whereby he was entitled to contribute towards the GPF and to get other retiral benefits but later-on, the newly introduced “Defined Contributory Pension Scheme” has been made applicable to him and though he has already moved the representation dated 28.12.2020 (Annexure P-10) to respondent No.2 in this regard, but the same has not yet been decided.

Notice of motion.

Ms. Kanica Sachdeva, Asstt. A.G., Punjab, who has appeared

in this case in pursuance of the copies of this petition having been sent to the respondent-State in advance, accepts the notice on behalf of all the respondents.

Heard.

Learned counsel for the petitioner submits that the petitioner would be satisfied in case a direction is given to respondent No.2 to consider and decide his said representation within some specific time frame.

Learned State counsel has no objection for the same.

Keeping in view the above-discussed limited prayer of learned counsel for the petitioner and without commenting upon the merits of the matter in hand, the instant petition is hereby disposed of with a direction to respondent No.2- the Director, Department of Education (Secondary Education), Punjab, to consider and decide the said representation of the petitioner dated 28.12.2020 (Annexure P-10), in accordance with law/policy/instructions/relevant rules, by passing a speaking order thereon, within a period of three months from the date of receipt of the certified copy of this order.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

15.03.2021
monika

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No