

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(130)

CWP No.13378 of 2021  
Date of decision: 23.07.2021

Satya Devi

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through video conferencing)

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

**Present:** Mr. Baljeet Singh Sidhu, Advocate for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

\* \* \*

**HARSIMRAN SINGH SETHI, J. (ORAL)**

Learned counsel for the petitioner submits that the petitioner was initially appointed on 12.08.1994 as Class- IV employee on daily wage basis and her services were regularized on 01.12.2007. Learned counsel for the petitioner further submits that w.e.f. 2004 a New Contributory Pension Scheme came into existence and the said Scheme is also being implemented on the petitioner, whereas, as per the law laid down by this Court in CWP No.2371 of 2010 titled as **Harbans Lal vs. State of Punjab and others** decided on 31.08.2010, which judgement has already attained finality, the employees who were in service as on 01.01.2004 and their services might have regularized after 2004, will be governed by the Old Pension Scheme. Learned counsel for the petitioner prays that the petitioner is also covered by the said judgment and is entitled for consideration of his claim under the Old Pension Scheme.

Learned counsel for the petitioner further submits that for the relief, which is being claimed in the present writ petition, the petitioner has already served the respondents with a legal notice dated 12.05.2021 (Annexure P/7), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.4 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Charanpreet Singh, AAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State and raises no objection in deciding the legal notice dated 12.05.2021 (Annexure P/7) served by the petitioner in a time bound manner.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 12.05.2021, respondent No.4 is directed to decide the legal notice dated 12.05.2021 (Annexure P/7) submitted by the petitioner by passing a speaking order within a period of two months from the date of receipt of a copy of this order.

Present writ petition stands disposed of.

**July 23, 2021**  
*aarti*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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