

CWP-14540-2021

Date of decision: 03.09.2021

Dalwara Singh and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Gurcharan Dass, Advocate
for the petitioners.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioners have invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India for the issuance of an appropriate writ in the nature of *mandamus* for the issuance of directions to the respondents to consider the case of the petitioners for the grant of pension and pensionary benefits by treating them entitled for the pension and pensionary benefits under the old Pension Scheme which was applicable to those employees who have been working prior to 01.01.2004 as has been ordered by this Hon'ble Court in 'Harbans Lal versus State of Punjab and others'

reported as 2012 (3), Service Cases, CWP No.26758 of 2017 titled as 'Shiv Kumar and others versus State of Punjab and others' decided on 24.11.2017, CWP No.5671 of 2018 titled as 'Gurmail Chand and others versus State of Punjab and others' decided on 15.03.2018, CWP No.14669 of 2015 titled as 'Jai Chand versus State of Punjab and others' decided on 20.12.2018 and further to release the pension and pensionary benefits along with interest @ 12% per annum from the date the pension and pensionary benefits became due to the petitioners.

Notice of motion to the official respondents.

Ms. Simran Grewal, AAG, Punjab puts in appearance and accepts notice on behalf of the official respondents-State. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the legal notice dated 19.05.2021 (Annexure P-11) as representation moved by the petitioners and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioners without any delay, as per law.

The petition stands disposed off accordingly.

03.09.2021
Neha

(FATEH DEEP SINGH)
JUDGE

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