

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

CWP No.2445 of 2022 (O&M)

Date of Decision.01.08.2022

Harjinder Singh and others

...Petitioners

Vs

State of Punjab and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. J.S. Mohri, Advocate
for the petitioners.

Mr. Pawan Sharda, Sr. DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

The petitioners have approached this Court under Article 226/227 of the Constitution of India praying for issuance a writ in the nature of mandamus directing the respondents to count the services of petitioners rendered on daily wage as Special Police Officer (SPO) before their regularization as qualifying service for the purpose of pensionary/retiral benefits, as has been granted by this Court to the similarly situated persons in CWP No.9936 of 2017 decided on 15.02.2018 titled as *Sukhjeet Singh and others Vs. State of Punjab and others* and CWP No.7127 of 2019 decided on 01.04.2019 titled as *Jarnail Singh and others Vs. State of Punjab and others*.

Pursuant to notice of motion order, reply has been filed by respondent No.4 in the court today which is taken on record. As per the reply filed, petitioners No.10, 18, 19 and 20, who were appointed as SPOs on daily wage in the year 1993, 1994 and 1996, were absorbed as Constable in the year 1999 and 2002 and therefore, they are already covered under the Old Pension Scheme as applicable to the employees recruited prior to

01.01.2004. As regards other petitioners, it is stated that their cases are squarely covered vide judgments passed by this Court CWP No.9936 of 2017 decided on 15.02.2018 titled as *Sukhjeet Singh and others Vs. State of Punjab and others* and CWP No.7127 of 2019 decided on 01.04.2019 titled as *Jarnail Singh and others Vs. State of Punjab and others*.

In view of the reply filed by the respondent-State, the instant writ petition stands allowed and the respondents are directed to count period during which the petitioners rendered their services as SPOs on daily wage before their absorption/recruitment as Constable, as qualifying service for the purpose of pension in terms of judgments passed by this Court in CWP No.9936 of 2017 and CWP No.7127 of 2019.

(JAISHREE THAKUR)
JUDGE

August 01, 2022

Pankaj*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No