

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

CWP No.6502 of 2022

Date of Decision:-30.03.2022

Om Parkash alias Omparkash

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present:- Mr. Suresh Kumar Kaushik, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI J.(Oral)

Learned counsel for the petitioner argues that in the present case though the petitioner was in service on the date when the Contributory Provident Fund Scheme came into existence and the services of the petitioner were regularized thereafter but keeping in view the judgment of the Division Bench of this Court in **CWP No.2371 of 2010 titled as Harbans Lal vs. State of Punjab and others, decided on 31.08.2010,** according to which the employees, who were in service as on 01.01.2004, but their services were regularized after the said date, are entitled for the pensionary benefits as per old pension scheme. Learned counsel for the petitioner submits that despite the eligibility of the petitioner, the benefit of the same has not been given to the petitioner, which causes prejudice to him. Learned counsel further submits that the petitioner has already raised

the said grievance vide representation dated 11.01.2022 (Annexure P-5) before the respondents and the petitioner will be satisfied at this stage in case a time bound direction is given to respondent No.3 to decide the said representation by passing appropriate speaking order.

Notice of motion.

Mr. Raman Kumar Sharma, Addl. A.G., Haryana accepts notice on behalf of respondents and raises no objection in deciding the representation dated 11.01.2022 (Annexure P-5) in a time bound manner.

Without going into the merits of the case or the claim being made by the petitioner in the present petition or in the representation, the respondent No.2 is directed to decide the representation dated 11.01.2022 (Annexure P-5) within a period of eight weeks from the date of receipt of certified copy of this order. In case, after the decision, the petitioner is found entitled for any benefits, the same be also extended to him within a period of next four weeks.

March 30, 2022
Vijay Asija

(**HARSIMRAN SINGH SETHI**)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No