

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

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CWP-16811-2022

Date of decision : 02.08.2022

SHANSHI SINGH AND OTHERS

..... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. S. K. Malik, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioners argues that the services of the petitioners were regularized w.e.f. the year 2014 initially but keeping in view the grievance raised by the petitioners, the said benefit was given retrospectively from the year 1999. Learned counsel submits that the said order was also implemented by the respondents and the petitioners retired from service. Learned counsel further argues that after the retirement, the date of regularization of the petitioners has been changed to the year 2006 and now, the petitioners are not being given the benefit under the old pension scheme on the ground that w.e.f. 01.01.2006 onwards there is no pension within the State of Haryana.

Learned counsel further argues that keeping in view the judgment of this Court in CWP No.2371 of 2010 decided on 31.08.2010 titled Harbans Lal Vs. The State of Punjab and others, an employee who was in service as on 01.01.2006, is entitled to be considered under the old pension scheme but the benefit of the same has not been extended to the petitioners without any justification.

Learned counsel for the petitioners further argues that the claim as being raised in the present petition has already been raised by the petitioners with the respondents vide legal notice dated 16.03.2022 (Annexure P-9) and the petitioners will be satisfied, at this stage, in case a direction is issued to respondents to decide the said representation in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, accepts notice on behalf of respondents-State and raises no objection in deciding the legal notice dated 16.03.2022 (Annexure P-9) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners on 16.03.2022 (Annexure P-9), respondent No.4 is directed to decide the legal notice dated 16.03.2022 (Annexure P-9) by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

02.08.2022

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Whether speaking/reasoned
Whether Reportable :

Yes
No