

141

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-29179-2022
Date of decision: 19.12.2022

PAWAN KUMAR

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jasbir Singh Mohri, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Articles 226/227 of the Constitution of India for issuance of appropriate writ, order or direction in the nature of mandamus, for the issuance of direction to the respondents to count the daily wage service of the petitioner rendered before his respective regularization as qualifying service and consequently, permit the petitioner to continue in the old GPF scheme and declare that new restructured defined Contributory Pension Scheme dated 02.03.2004 (Annexure P-1) and instructions dated 12.12.2006 related to new Contributory Pension Scheme (Annexure P-2) would not apply to the case of the petitioner. In this regard, a representation dated 23.12.2021 (Annexure P-6) has been given by the petitioner to the respondents, but till date no decision has been taken thereon.

Notice of motion.

Mr. Sehajbir Singh Aulakh, AAG, Punjab, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the representation of the petitioner. Let sufficient number of copies of the complete paper book be supplied to him during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to the respondents to decide the representation dated 23.12.2021 (Annexure P-6) of the petitioner within a period of three months from the date of receipt of the certified copy of this order, in accordance with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

19.12.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No