

241 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.4803 of 2021 (O&M)
Date of decision : 13.03.2023

Shankar Lal

..... Petitioner

versus

State of Punjab & ors.

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Jasvir Singh Dhaliwal, Advocate for the petitioner.

Ms. Shivani Sharma, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

Present writ petition has been filed seeking writ in the nature of mandamus directing the respondents to count the daily wage service of the petitioner rendered before the regularization as qualifying service for the purpose of pensionary/retiral benefits and with a further prayer that the petitioner be treated as per the Old Pension Rules and not as per the Contributory Pension Fund Scheme made applicable w.e.f. 01.01.2004.

Reply by way of affidavit of Sanjeev Singla, PPS, Deputy Superintendent of Police, (Hqrs.) Bathinda on behalf of respondents No.1 to 3. The stand of the respondents has been spelled out in para No.2 of preliminary submissions which reads as under :-

“2. That in this regard it is submitted that the service of the petitioner was regularized w.e.f. 31.10.1995 vide this office order No. 386-91/B dated 13.01.1996 (Copy of the same is annexed as Annexure R-1/T) and as such, he is already exists in old GPF Scheme for pensionary benefits as applicable to the employees recruited in the Punjab Government Service prior to

01.01.2004. It is submitted that an amount of Rs. 96475/- on account of final payment of GPF, an amount of Rs. 10733/- on account of GIS and an amount of Rs. 313725/-on account of Leave Encashment has been paid to the petitioner vide Bill No. 11388 dated 15.12.2020, Bill No. 11400 dated 16.12.2020 and Bill No. 11671 dated 09.02.2021 respectively. Moreover, PPO No. 1120009191 has been allotted to the petitioner by the Accountant General (A&E), Punjab, Chandigarh and pension @ Rs. 8007/- per month is being paid to him. It is pertinent to mention here that an amount of Rs. 4,96,400/- on account of DCRG has also been released in his favour by the Accountant General (A&E), Punjab, Chandigarh vide their office memo No. Pen.-06/2182009191/2020-21/PE/20/10/80198769 dated 17.11.2020.”

In view of the stand taken by respondents-State, the claim of the petitioner already stands admitted.

Learned counsel for the petitioner also conveys his satisfaction.

Consequently, nothing remains to be adjudicated at the hands of this Court.

Dismissed as having been rendered infructuous.

(PANKAJ JAIN)
JUDGE

13.03.2023
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No