

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

105

CWP-25496-2023

Decided on : 14.11.2023

Ajit Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Ms. Jai Shree Kaushik, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

1. Learned counsel for the petitioner submits that the petitioner initially joined the department on 06.04.1985 and continued working till his services were regularized on 29.07.2011 but after the petitioner attained the age of superannuation on 30.11.2016, the petitioner has not been given the benefit under the Old Pension Scheme on the ground that on the date, when the services of the petitioner were regularized in the year 2011, the New Pension Scheme was in operation.

2. Learned counsel for the petitioner further submits that keeping in view the judgment of the Division Bench of this Court in ***CWP No. 2371 of 2010*** titled ***Harbans Lal Vs. State of Punjab***, decided on 31.08.2010, which judgment has already attained finality, the petitioner is entitled for the benefit under the Old Pension Scheme which benefit has not been extended to the petitioner and that too without any valid justification.

3. Learned counsel for the petitioner further submits that the petitioner has already raised a grievance through the legal notice dated 22.02.2023, copy of which has been appended as Annexure P-4, and the petitioner will be satisfied at this stage in case time bound direction is given to the respondent by this Court to pass an appropriate speaking order.

4. Notice of motion.

5. Mr. Pankaj Middha, Addl. AG, Haryana accepts notice on behalf of the State and submits that in case, legal notice (Annexure P-4) dated 22.02.2023 has been received in the office of the concerned authority and the same is still pending consideration, appropriate order will be passed within a period of 8 weeks of the receipt of the copy of this order and in case, any benefit is to be allowed to the petitioner as per the speaking order, the same will also be released within further period of 4 weeks.

6. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

14.11.2023

Mehak

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No