

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

108

CWP-2302-2024 (O&M)

Decided on : 12.02.2024

Harjinder Singh

...Petitioner

Versus

State Of Haryana And Others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Deepak Sonak, Advocate for
Mr. S. S. Momi, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. Learned counsel for the petitioner submits that keeping in view the judgment of the Division Bench of this Court passed in **CWP No. 2371 of 2010, titled as, 'Harbans Lal v. State of Punjab and others' decided on 31.08.2010**, which judgment has already been attained finality, the petitioner who was working on the post of driver and was in service as on 01.01.2006 when the new pension scheme was made operative, the petitioner is entitled for the grant of pensionary benefits under the Old Pension Scheme which benefits have not been granted to the petitioner, which is causing prejudice to the petitioner.
2. Notice of motion.
3. On the asking of the Court, Mr. Harish Nain, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that before filing the present writ petition, no representation qua the grievance of pensionary benefits under the Old Pension Scheme has been submitted by the petitioner to the authorities concerned and in case, any representation is filed by the petitioner with the competent authority, the same will be considered and decided in accordance with law within a period of **eight weeks** from the date of receipt of any such representation by passing an appropriate speaking order and in case, after the decision, the petitioner is

found entitled for any benefit, the same will be extended to him within a further period of **four weeks**.

4. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed, at this stage, with liberty to file an appropriate representation with the respondents.

5. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

12.02.2024
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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *~~Yes~~/No*