



CWP-11291-2024 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(115) CWP-11291-2024 (O&M)
Date of Decision : July 16, 2024

Sunita Rani and another .. Petitioners

Versus

State of Punjab and another .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. H.C. Arora, Advocate, for the petitioners.

Mr. Amarpreet Singh Bains, Assistant Advocate General,
Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-9543-CWP-2024

As prayed for, the application is allowed.

Additional affidavit of the petitioner and the order dated
05.10.2021 as Annexure P-11, are taken on record.

CWP-11291-2024

1. Learned counsel for the petitioners argues that the petitioners' services were regularized though after 01.01.2004 but as the petitioners were in service as on 01.01.2004, keeping in view the judgment of the Division Bench of this Court in **CWP No.2371 of 2010 titled as Harbans Lal Vs. State of Punjab and others, decided on 31.08.2010**,, such kind of employees are entitled to be considered under the Old Pension Scheme.



2. Learned counsel for the petitioners submits that despite the fact that the abovementioned judgment is covering the petitioners case, the benefit is not being granted to the petitioners and that too in an illegal and arbitrary manner.

3. Learned counsel for the petitioners further submits that the grievance raised in the present petition has already been raised by the petitioners in the demand notice dated 01.09.2022 (Annexure P-10) which is still pending consideration with the respondents and the petitioners will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said demand notice by passing an appropriate speaking order.

4. Notice of motion.

5. Mr. Amarpreet Singh Bains, learned Assistant Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

6. Learned counsel for the respondents submits that in case the demand notice dated 01.09.2022 (Annexure P-10) has been received in the office of concerned authorities and is still pending consideration with the concerned authorities, the same will be decided by the competent authority within a period of eight weeks of the receipt of copy of this order and in case, after the decision of the demand notice, any benefit accrues to the petitioners, the same will also be released to them otherwise due reasons will be mentioned in the speaking order to be passed for not accepting the claim of the petitioners for their information and necessary action.

**CWP-11291-2024 (O&M)****3**

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

8. Ordered accordingly.

9. Any civil miscellaneous application pending if any, also stands disposed of.

July 16, 2024*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No