



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

Date of Decision : 22-07-2024

.....Petitioner

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

Present: Mr. Sukhdev Raj Kamboj, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance raised by the petitioner is that the petitioner was working with the respondent since 1988 and her services were regularised by the respondent on 09.02.2021 (Annexure P-3), after which date the petitioner is being treated under the New Pension Scheme keeping in view the Regularization Order by ignoring the settled principle of law laid down by 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 (Annexure P-5), according to which, an employee who might have been regularized after the said date i.e. 01.01.2004, he/she will be entitled for the pension of old pension scheme. Learned counsel for the petitioner states that the case of the petitioner is squarely covered by the said judgment.

Notice of motion.

Mr. Mr. Arun Gupta, DAG Punjab, appears and accepts notice on behalf of the respondent-State.

Learned counsel for the petitioner submits that in case any representation is at the hands of the petitioner, the same will be decided in accordance with law by keeping in view of the judgment of the Division Bench in *Harbans Lal's case (supra)* and an appropriate speaking order on the same will be passed by the respondent No.2 within a period of 8 weeks of the receipt of copy of this order. Learned State counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed, which will be conveyed to the petitioner.

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

Ordered accordingly.

Pending application, if any, shall stand disposed of.

22-07-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO