

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

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CWP-29813-2017 (O&M)

Date of decision: 09.04.2024

Dr. Parminder Singh

..Petitioner

Versus

Punjabi University, Patiala and another

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. PS Khurana, Advocate for the petitioner.

Mr. Amit Sethi, Advocate for respondent No.1.

Mr. Amarpreet Singh Bains, AAG, Punjab

AMAN CHAUDHARY, J (Oral)

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus to consider past service of the petitioner on the post of Lecturer Punjabi.
2. Learned counsel would contend that the petitioner who was appointed as Lecturer Punjabi in the department of School Education, Punjab, w.e.f. 04.03.1996 was subsequently appointed on 28.07.2011 as Assistant Professor, Punjabi on regular basis through proper channel in respondent No.1- University but the past service rendered by him from 1996 to 2011 is not being taken into consideration as qualifying service for benefits under the Old Pension Scheme on account of fact that the new pension scheme is implemented w.e.f. 01.01.2004. In this regard, during pendency of the present petition, Instructions dated 15.02.2018, Annexure P-9, have been issued wherein it has been decided that the pension scheme/rules prior to 01.01.2004 would be applicable to the employees recruited on regular basis from 01.04.2004 to 08.07.2012. He relies on the judgment passed by the Division Bench in **Harbans Lal vs. The State of**

Punjab and Others, 2012(3) S.C.T. 362, wherein this issue already stands decided, SLP dismissed and judgment implemented. He thus, at this stage, on instructions, submits that the petitioner would be satisfied that in case, a direction is given to the respondents to decide his case in a time bound manner.

3. Learned State counsel has no objection to the limited prayer made.
4. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to decide the claim of the petitioner, taking note of the judgment referred to as also instructions, within a period of 3 months and if found entitled, necessary benefit be granted to him forthwith.

09.04.2024
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No