



CWP-19178-2024

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

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CWP-19178-2024

Date of Decision :09.08.2024

Rajinder Parshad**...Petitioner**

Versus

State of Punjab and others**..Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Anish Batra, Advocate for the petitioner.

Mr. T.P.S Chawla, Senior DAG, Punjab
(keeping in view advance copy served).

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Harsimran Singh Sethi, J. (Oral)

In the present petition, prayer of the petitioner is that he is entitled for the grant of benefit of total length of service rendered by him with the respondents towards the qualifying service including the service which he had rendered prior to the regularization of his services and hence, the respondents be directed to grant him the said benefit at the time of his retirement.

Learned counsel for the petitioner submits that as the petitioner was in service as on 01.01.2004 though, his services were regularized on 23.06.2004, keeping in view the judgment of the Division Bench of this Court in **CWP-2371-2010, titled as, Harbans Lal vs. State of Punjab and others decided on 31.08.2010**, the petitioner is entitled to be considered under the Old Pension Scheme and the respondents be directed to grant the

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petitioner said benefit.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 28.05.2024 (Annexure P/11), which is still pending consideration and the petitioner will be satisfied, at this stage, in case, a time bound direction is issued to the respondents to decide the said legal notice.

Notice of motion.

Mr. T.P.S Chawla, Senior DAG, Punjab accepts notice on behalf of the respondent-State and submits that in case, legal notice dated 28.05.2024 (Annexure P/11) has been received from the petitioner, the same will be decided in accordance with law and an appropriate speaking order will be passed within a period of 08 weeks from the date of receipt of copy of this order and in case, it is found feasible to grant the relief to the petitioner, the same will be extended to him otherwise, due reasons for not accepting the claim of the petitioner will be mentioned in the speaking order so passed, which will be conveyed to the petitioner.

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

Ordered accordingly.

August 09, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No