



CWP-23008-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(123)

CWP-23008-2024

Date of Decision : September 11, 2024

Dr. Gurjant Singh

.. Petitioner

Versus

Guru Nanak Dev University, Amritsar and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harinder Sharma, Advocate, for the petitioner.

Mr. M.K. Dogra, Advocate, for the respondents.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that the petitioner was working with respondent No.3-College and the said institution was taken over by the Guru Nanak Dev University and in an agreement between respondent No.1-University and respondent No.3-College, the benefit of earlier service is being denied so as not to treat the petitioner under the Old Pension Scheme, which is totally arbitrary and illegal, keeping in view the fact that law on the said issue has already been settled 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** hence, the petitioner is entitled to be considered under the Old Pension Scheme whereas only due to a clause in an agreement between respondent No. 1 and respondent No. 3, the benefit is being declined to the petitioner, who is not a signatory to the said agreement.

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2. Learned counsel for the petitioner submits that the grievance raised in the present petition has already been raised by the petitioner in the legal notice dated 04.12.2023 (Annexure P-7) which is still pending consideration with the respondents 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 by passing an appropriate speaking order.

3. Notice of motion.

4. Mr. M.K. Dogra, Advocate, who is present in the Court, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that in case the legal notice dated 04.12.2023 (Annexure P-7) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision any relief is to be extended to the petitioner, the same will be extended, otherwise due reasons will be mentioned in the speaking order to be passed for not accepting the claim of the petitioner for his information and necessary action.

6. Learned counsel for the petitioner 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.

September 11, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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