

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

(239)

**CWP-26704-2021 (O&M)
Date of Decision: 13.02.2024**

Darshan Kumar Singla and othersPetitioners

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Ranjivan Singh, Advocate, with
Mr. Risham Raag Singh, Advocate, for the petitioners.

Mr. T. P. S. Walia, AAG, Punjab.

Mr. Vikas Singh, Advocate, for the respondent No.3.

NAMIT KUMAR, J.(ORAL)

CM No.16058-CWP-2023

1. This is an application filed under Section 151 CPC for placing on record the Additional Affidavit along with its Annexure A-1 to Annexure A-6 of the applicant/Petitioner No.7.
2. Allowed as prayed for subject to all just exceptions.
3. Additional Affidavit along with documents Annexure A-1 to A-7 are taken on record.

CM No.16085-CWP-2023

1. This is an application filed under Section 151 CPC for placing on record the letter dated 08.05.2023 as Annexure R-3/1.
2. Allowed as prayed for subject to all just exceptions.
3. Letter dated 08.05.2023 as Annexure R-3/1 is taken on record.

Main Case

1.

Present writ petition has been filed under Article 226 & 227 of the Constitution of India for issuance of a writ in the nature of Certiorari for quashing/setting aside the action of the respondent-Corporation, whereby New Contributory Pension Scheme (NPS) upon the petitioners w.e.f. June 2019 has been made applicable on pretext of the Policy Circular dated 12.12.2006 (Annexure P-29) and they are entitled for benefits under Old Pension Scheme.
2.

Learned counsel for the petitioners submits that present writ petition is squarely covered by a Division Bench judgment of this Court in the case titled as **Harbans Lal Vs. State of Punjab and others** passed in **CWP-2371-2010** decided on 31.08.2010, which has been upheld by the Hon’ble Supreme Court and even the review filed by the State has been dismissed. Thereafter, another Division Bench judgment of this Court also squarely covers the case of the petitioners passed in **LPA No.666-2022 and other connected cases** titled **Municipal Council, Qadian Vs. Musthaq Masih and others**, decided on 21.12.2023, which has been followed in **CWP No.16147 of 2023 and other connected cases** titled as **Surjit Singh Vs. State of Punjab and others**, decided on 30.01.2024.
3.

Learned counsel for the respondents could not dispute the above said legal position despite their persistent efforts.
3.

Consequently, the present petition is allowed in terms of the judgment passed in **CWP-16147-2023 and other connected cases** titled as **Surjit Singh Vs. State of Punjab and others**.

(NAMIT KUMAR)
JUDGE

13.02.2024
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