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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(145)

CWP-25885-2024

Date of Decision : October 04, 2024

Rajiv Kumar and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Puneet Gupta, Advocate, for the petitioners.

Mr. Satnam Preet Singh, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the prayer of the petitioners is that keeping in view the fact that the posts on which the petitioners were appointed, were advertised prior to 01.01.2004, keeping in view the settled principle of law settled by this Court in ***CWP No.18043 of 2018 titled as Hitesh Kumar and others vs. State of Haryana and others, decided on 18.11.2022***, the petitioners are entitled to be considered under the Old Pension Scheme instead of New Defined Contributory Pension Scheme.
2. Learned counsel for the petitioners submits that the grievance raised in the present petition has already been raised by the petitioners in the representations dated 19.07.2024 (Annexure P-16) and 22.07.2024 (Annexure P-17) respectively which are still pending consideration with the respondents and the petitioners will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said representations by passing an appropriate speaking order.



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3. Notice of motion.

4. Mr. Satnam Preet Singh, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that in case the representations dated 19.07.2024 (Annexure P-16) and 22.07.2024 (Annexure P-17) respectively have been received in the office of the concerned authorities and the same are 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 petitioners, 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 petitioners for their information and necessary action.

6. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present writ petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

October 04, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No