



CWP-25890-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(146)

CWP-25890-2024

Date of Decision : October 04, 2024

Shyam Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Bishan Dass Rana, Advocate, for the petitioner.

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

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance of the petitioner is that the petitioner was appointed on 01.12.1984 as Water Carrier on daily wage basis and his services were regularized on 02.01.2017 but the petitioner is not being given the benefit under the Old Pension Scheme despite the fact that the claim of the petitioner is covered by the judgment of 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,** which judgment has already attained finality upto the Hon'ble Supreme Court of India hence, the respondents are under an obligation to grant the petitioner the benefit of the said judgment so as to treat the petitioner under the Old Pension Scheme instead of New Contributory Pension Scheme.
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 15.07.2024 (Annexure P-11) which is still pending

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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. 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 legal notice dated 15.07.2024 (Annexure P-11) 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 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