



128 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25557-2024 (O&M)

Date of Decision : 03-10-2024

LALITA

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANR

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Inayat Khullar, Advocate for the petitioner.

Mr. Satnampreet Singh Chauhan, DAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance being is that the petitioner is working with the respondents since September, 1997 and she has not been considered under the Old Pension Scheme for the grant of pensionary benefits only on the ground that her services were regularised after 01.01.2004, which act on the part of the respondents is arbitrary and illegal and contrary to the judgment of the Division Bench of this Court in CWP No.2371 of 2010 titled "*Harbans Lal Vs. State of Punjab and ors.*", decided on 31.08.2010, which judgment has already been upheld by the Hon'ble Supreme Court of India hence, the respondents be directed to consider the claim of the petitioner under Old Pension Scheme for the release of the pensionary benefits.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 20.06.2024 (Annexure P-5) but the same is still pending consideration with the

respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Satnampreet Singh Chauhan, DAG Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 20.06.2024 (Annexure P-5) 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. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed and the said order will be duly conveyed to the petitioner.

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

Ordered accordingly.

Pending application, if any, also stands disposed of.

03-10-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO