

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

114

LPA-242-2024 (O&M)
Decided on 25.01.2024

The Nagar Panchayat, Maloudh ... Appellant

Versus

Pala and others ... Respondents

LPA-243-2024 (O&M)

The Nagar Panchayat, Maloudh ... Appellant

Versus

Gurtjit Singh and others ... Respondents

CORAM: HON’BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON’BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr.Paramjeet Singh, Advocate for the appellant

AMAN CHAUDHARY, J.

CM-558-LPA-2024 in LPA-242-2024 & CM-562-LPA-2024 in LPA-243-2024

For the reasons mentioned therein, the delay of 182 and 193 days in
refiling the respective appeals, are condoned.

The applications stand disposed of.

Main Appeals

1. Challenge in the present appeals filed by the appellant is to the judgment of learned Single Judge whereby the respondents have been allowed the benefits of Old GPF Pension Scheme in terms of CWP-26858-2017, titled Heera Singh vs. State of Punjab.
2. The respondents were engaged by the appellant-Nagar Panchayat, Maloudh as clerks and sewadars, on contractual/adhoc basis between 1989-2003.

However, later on, between the years 2011 and 2013, their services were regularised in terms of the State Government policy.

3. The issue involved in the writ petitions was regarding counting of the service rendered by the respondents on contractual/adhoc basis prior to 01.01.2004, towards the Old GPF Pension Scheme. The learned Single Judge has decided the matter on the basis of a judgment of the Division Bench of this Court in Harbans Lal vs. State of Punjab and others, CWP-2371-2010, decided on 31.08.2010, against which, the SLP as well as the review application, were dismissed.

4. We have already decided an issue similar as that emerges in the present appeals, vide judgment dated 21.12.2023 passed in LPA-666-2022, titled as **Municipal Council, Radian vs. Musthaq Masih and others**, wherein it was observed that the benefit of the Old Pension Scheme had been rightly granted to the respondents therein, who had been in service for more than 10 years.

5. The learned counsel for the appellant has not been able to distinguish the judgment in the case of **Harbans Lal** (supra).

6. On the aforesaid anvil, we find no merit in the present appeals and as such, the same are hereby dismissed.

7. Pending applications, if any, shall be rendered as disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

25.01.2024
Hemant/gsv

Whether speaking / reasoned: YES / NO
Whether Reportable: YES / NO