

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

CWP-1336 of 2024

Date of decision: 24.01.2024

Tarlok Chand and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Rajeev Dev Sharma, Advocate,
for the petitioners.

Mr. Arun Gupta, AAG, Punjab.

Mr. Sanjeev Soni, Advocate,
for respondent No.3.

NAMIT KUMAR, J.

1. Present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to consider the petitioners to be covered under old pension scheme and extending the benefits of old pension scheme instead of new pension scheme by considering their initial service rendered on Ad hoc/contract basis as qualifying service and to grant all the consequential service benefits arising therefrom to the petitioners.

2. Learned counsel for the petitioner at the outset confines his prayer for deciding representation dated 08.05.2023 (Annexure P-5). He submits that at this stage, petitioners would be satisfied, if the said representation is decided by passing a speaking order within a time-bound frame.

3. Notice of motion.
4. Mr. Arun Gupta, AAG, Punjab, who is present in Court accepts notice on behalf of the respondents No.1 and 2 and Mr. Sanjeev Soni, Advocate, accepts notice on behalf of respondent No.3.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.3-Competent Authority is directed to consider and decide the claim made in the representation dated 08.05.2023 (Annexure P-5) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioners are found entitled, their claim be released within a period of six weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioners merits rejection the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioners within the time as stipulated hereinabove.
7. The petition stands disposed of.

24.01.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No