



CWP-34017-2024

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(124)

CWP-34017-2024

Date of Decision : December 17, 2024

Raj Kumari

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ranjivan Singh, Advocate, with
Mr. Risham Raag Singh, Advocate, for the petitioner.

Mr. Arun Gupta, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that the petitioner is claiming the benefit under the Old Pension Scheme keeping in view the fact that selection of the petitioner for the post of Assistant Librarian and consequent recommendation is prior to 01.01.2004. Learned counsel for the petitioner further submits that the said question of law has already been decided by this Court while passing order in ***CWP No.18043 of 2018 titled as Hitesh Kumar and others vs. State of Haryana and others, decided on 18.11.2022.***

2. Learned counsel for the petitioner further submits that the claim of the petitioner was kept pending keeping in view the order dated 05.04.2021, a copy of which has been appended with this petition as Annexure P-13 that till any instructions are issued by the State of Punjab in this regard, no conversion from New Pension Scheme to Old Pension Scheme can be done.

**CWP-34017-2024****2**

3. Learned counsel for the petitioner further submits that once the issue has been decided by this Court, the respondents are under an obligation to decide the claim of the petitioner in terms of the judgment in ***Hitesh Kumar's case (supra)***.

4. Notice of motion.

5. Mr. Arun Gupta, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

6. Learned counsel for the respondents submits that in case any representation/claim is received at the hands of the petitioner by placing reliance upon the judgment of ***Hitesh Kumar's case (supra)***, the same will be decided by the competent authority by keeping in mind the judgment in ***Hitesh Kumar's case (supra)*** within a period of eight weeks from the receipt of any such representation/claim 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 her information and necessary action.

7. Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file appropriate representation with the respondents.

8. Ordered accordingly.

December 17, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No