



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-34441-2024 (O&M)
Date of decision : 19.12.2024

PREM SINGH AND OTHERS

..... Petitioners

VERSUS

STATE OF PUNJAB THROUGH ITS
SECRETARY AND ANOTHER

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Raj Kumar Arya, Advocate
for the petitioners.

Mr. Swapan Shorey, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioners submits that ad-hoc services rendered by the petitioners have not been taken into account so as to calculate the qualifying service and also the benefit admissible to the petitioners under the judgment of Division Bench of this Court in **CWP-2371 of 2010 titled 'Harbans Lal Vs. State of Punjab and others' decided on 31.08.2010**, which judgment has already attained finality up to the Hon'ble Supreme Court of India to say that any employee who was working with the respondents-State as on 01.01.2004, is to be treated under the old pension scheme even if, his/her services have been regularized thereafter.

2. Learned counsel further submits that the grievance raised by the petitioners has already been raised in the legal notice dated 18.11.2022 and thereafter by a representation dated 23.12.2023 respectively attached as

Annexure P-3 and P-4, which are still pending with the respondents and the



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respondents be directed to decide the same by passing appropriate speaking order.

3. Notice of motion.
4. On the asking of the Court, Mr. Swapan Shorey, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents-State and submits that in case, the legal notice dated 18.11.2022 (Annexure P-3) and representation dated 23.12.2023 (Annexure P-4), have been received in the office of the concerned authorities and the same are still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of 08 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 petitioners, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioners in the speaking order to be passed and the said order will be conveyed to the petitioner for their information and necessary action.

5. Learned counsel for the petitioners 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.

6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

19.12.2024

Rimpal

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No