



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

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CWP-14558-2022 (O&M)

Date of decision: 11.02.2025

Kundan Singh and others

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Kapil Kakkar, Advocate for the petitioners.

Mr. Arun Gupta, DAG, Punjab

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for quashing the Clause 3 and Clause 13 of the appointment order dated 13.03.2021, Annexure P-5, whereby it has been provided that the petitioners will not be given the benefit of service rendered by them for a period of more than 20 years in the Punjab Government Aided School against the regular/sanctioned/Aided posts.

2. Learned counsel for the petitioners submits that so far as the prayer for counting of service rendered by the petitioners for a period of more than 20 years in the Punjab Government Aided School, has been concerned and regarding that prayer, the present petition has been rendered infructuous, however with regard to the second prayer of granting benefit of Old Pension Scheme reliance is placed on record the judgment of Hon'ble the Supreme Court of India passed in SLP (C) No.5497 of 2007, titled **State of Punjab versus Charan Singh**, decided on 05.12.2007, Annexure P-8 and learned counsel on instructions states that the matter be considered in light of the aforesaid, which may be directed to be



decided in a time bound manner, to which learned State counsel has no objection to the limited prayer.

3. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to reconsider and decide the aforesaid claim regarding the second prayer within a period of 04 months, taking note of the aforesaid judgment, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon.

11.02.2025
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(AMAN CHAUDHARY)
JUDGE

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