



CWP-9358-2017(O&M)

:1:

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

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CWP-9358-2017 (O&M)

Date of decision : 03.03.2025

THAKUR PARSHAD

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Madhav Pokhrel, Advocate
for the petitioner.

Mr. Malkiat Singh, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner submits that the issue raised in the present petition has been covered by judgment of Division Bench of this Court in **CWP No.2371 of 2010 titled as "Harbans Lal Vs. The State of Punjab and others"** decided on 31.08.2010, which judgment has already attained finality but, still the benefit of old pension scheme is not being given to the petitioner despite the said judgment stipulating clearly that employees working prior to 01.01.2004 even though regularized after 2004 to be treated under the old pension scheme.

2. Learned counsel further submits that the issue was once again decided by this Court in **LPA No.666 of 2022 titled as "Municipal Council, Qadian Vs. Musthaq Masih and others"** and the judgment of the single



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Judge that the employees, who were appointed prior to 01.01.2004 and were in service as on 01.01.2004, even if their services have been regularized thereafter, will be governed by the old pension scheme, has also been upheld and the LPA filed by the Municipal Council has been dismissed. Learned counsel submits that the present petition be also disposed of in terms of CWP No.13095 of 2020 titled as “Musthaq Masih Vs. State of Punjab and others” decided on 26.04.2022 which has been upheld in LPA No. 666 of 2022 titled “Municipal Council, Qudian Vs. Musthaq Masih and others”.

3. Learned counsel for the respondents has not been able to dispute the fact that the question of law raised in the present petition has already been decided by this Court in case Musthaq Masih (supra).
4. Keeping in view the facts and circumstances as the issue raised in the present petition has already been decided in **CWP No.13095 of 2020**, which judgment has already been upheld in **LPA No.666 of 2022**, the present petition is also disposed of in terms of the judgment in Musthaq Masih’s case (supra).
5. Pending applications, if any, also stand disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

03.03.2025
Rimpal

Whether speaking/reasoned	Yes
Whether Reportable :	No