



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

113

CWP-6959-2026

Date of Decision: 09.03.2026

SOM NATH

...Petitioner

Vs.

STATE OF PUNJAB AND ANR.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. B.S. Sidhu, Advocate for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to grant him benefit of Old Pension Scheme (for short 'OPS') as applicable to employees who joined service prior to 01.01.2004.

2. The petitioner's father passed away on 30.11.2003 while performing official duty. His family requested respondent to rehabilitate their family as per applicable policy. They requested for compassionate appointment, however, matter remained pending. The State Government imposed ban on compassionate appointment vide letter dated 13.05.2002. The petitioner submitted application for compassionate appointment on 07.01.2004. The State Government lifted ban on compassionate appointment on 31.12.2003. The respondent processed his application and appointed him as Constable on 12.10.2004. Director General of

Police, Punjab issued circular dated 07.01.2025 clarifying that OPS is applicable where request was received prior to 01.01.2004. The State Government made amendment in Punjab Civil Service Rules vide notification dated 22.05.2025 providing that employees who have been appointed on compassionate ground on or after 01.01.2004 but their request was received before 01.01.2004, would be entitled to OPS provided concerned legal heir had fulfilled eligibility criteria before 01.01.2004. The petitioner fulfilled eligibility criteria, thus, is entitled to OPS.

3. Learned State counsel submits that competent authority would consider claim of petitioner and pass an appropriate order within three months from today.
4. Learned counsel for the petitioner agrees with the aforesaid arrangement.
5. In the wake of statement of both sides, the petition stands disposed of.
6. Pending application(s), if any, also stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

March 09, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No