



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

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CWP-12029-2026

Date of decision : 22.04.2026

Rakesh Kumar and another

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Rajesh K. Sharma, Advocate for the petitioners.

NAMIT KUMAR J. (Oral)

1. The present petition has been filed by the petitioners under Articles 226/227 of the Constitution of India read with Rule 3.17-A of the Punjab Civil Services Rules, Volume II and Rule 1.2 of the Punjab Civil Services Rules, Volume-I, Part-I, seeking issuance of a writ of certiorari for quashing the Clause 4 contained in the regularization order dated 31.08.2020 (Annexure P-8) pertaining to petitioner No.1 and order dated 31.08.2020 (Annexure P-9) pertaining to petitioner No.2. Further, seeking issuance of a writ of mandamus, directing the respondents to shift the petitioners to the Old Pension Scheme by counting their entire daily wage service rendered since 1996 and 1997, respectively, as qualifying service for pension in view of the law laid down by this Court in ***Harbans Lal Vs. State of Punjab and others : 2012(3) SCT 362*** and further to transfer the accumulated deductions and contributions from the NPS accounts of the petitioners into their newly opened GPF accounts.

2. Learned counsel for the petitioners submits that for redressal of their grievances, the petitioners have also served legal



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notice dated 11.12.2025 (Annexure P-14) to the respondents which is still pending consideration. He further submits that at this stage, the petitioners would be satisfied, if appropriate directions are issued to the respondents to consider and decide the said legal notice, by passing a speaking order, in a time bound manner.

3. Notice of motion.
4. Mr. Kanav Singla, A.A.G., Punjab, accepts notice on behalf of the respondents-State. He has no objection to the innocuous prayer made by learned counsel for the petitioners.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.2 to consider and decide legal notice dated 11.12.2025 (Annexure P-14) submitted by the petitioners expeditiously, by passing a speaking order after affording an opportunity of hearing to the petitioners, preferably within a period of 03 months from the date of receipt of certified copy of this order. Further, the decision taken thereon shall be conveyed to the petitioners. Needless to say, if the petitioners are found entitled to the relief sought, the same shall be granted to them within a period of 01 month thereafter.

22.04.2026
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(NAMIT KUMAR)
JUDGE

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