

(2014) 07 P&amp;H CK 0042

**High Court Of Punjab And Haryana At Chandigarh****Case No:** CWP No. 3250 of 2014 (O&M)

Baldev Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

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**Date of Decision:** July 14, 2014**Hon'ble Judges:** Jasbir Singh, J; Harinder Singh Sidhu, J**Bench:** Division Bench**Advocate:** R.S. Ahluwalia, Advocate for the Appellant; Gaurav Garg Dhuriwala, DAG and Tarun Vir Singh, Advocate for the Respondent**Final Decision:** Disposed Off

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**Judgement**

Jasbir Singh, J.

By filing this writ petition, the petitioners have laid challenge to policy decision dated 18th March, 2011 in seeking regularization of services of daily wage/work charged employees with a stipulation that the employees be not given benefit of past service (notional or otherwise). Further that petitioners be covered under the New Contributory Pension Scheme and not under the Pension Scheme which was in existence prior to 01.01.2004. The petitioners have also prayed for quashing of similar condition incorporated in their appointment letter dated 16.12.2011 regularizing their service.

2. Above issue came up for consideration before this Court in Harbans Lal versus The State of Punjab and others, CWP No. 2371 of 2010 decided on 31st August, 2010.

3. On February 20th, 2014, following order was passed.

Notice of motion.

Mr. K.K. Gupta, Additional Advocate General, Punjab, accepts notice on behalf of the respondents. Counsel for the petitioners is directed to supply him copies of the writ petition during course of the day.

Adjourned to 25.02.2014.

Mr. Gupta is directed to get instructions whether grievance raised by the petitioners is covered in their favour by ratio of a Division Bench Judgment of this Court in the case of Harbans Lal v. The State of Punjab and others, (CWP No. 2371 of 2010), decided on 31.8.2010 (P5).

4. Sh. Dhuriwala, learned State counsel has candidly admitted that against the above order, SLP No. (C)...CC No. 11570 of 2012 was filed, however, it was dismissed on 30th July, 2012. He further states that in that case, review application i.e. R.P. (C) No. 2038 of 2013 is pending.

5. Sh. Dhuriwala, has failed to show that the issue raised by the petitioners is not covered by the ratio of judgment in the case of Harbans Lal's case (supra).

6. In view of the above, this writ petition is disposed of in terms of the judgment of Harbans Lal's case (supra).