



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

134

CWP-7354-2025
Date of Decision: 18.03.2025

Narender Singh and another

.....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Ved Parkash, Advocate,
for the petitioners.

Ms. Rajni Gupta, Addl. A.G., Haryana.

Mr. Prince Singh, Advocate,
for respondent No.4.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226 and 227 of the Constitution of India are seeking direction to respondents to extend them benefit of Old Pension Scheme (OPS) as per Punjab Civil Services Rules (CSR) Vol.II (as applicable to State of Haryana).

2. Haryana Staff Selection Commission issued Advertisement No.8 of 2004 dated 28.10.2004. The petitioners applied pursuant to aforesaid advertisement. The Recruitment Board withdrew its advertisement and issued fresh advertisement on 06.05.2006. As per fresh advertisement, the candidates who had already applied pursuant to advertisement of 28.10.2004 were not required to file fresh application. Thus, petitioners did not file fresh application. They came to be selected. The State Government has introduced New Pension Scheme w.e.f. 01.01.2006 and Central Government introduced New Pension



Scheme w.e.f. 01.01.2004. The petitioners claim that they should be covered under OPS because initial advertisement was issued prior to 01.01.2006. The Central Government has issued instructions whereby it has been clarified that date of appointment or joining is not relevant and it is date of advertisement or declaration of result which is relevant for the purpose of OPS.

3. Mr. Ved Parkash, Advocate submits that claim of petitioners is pending before authorities, however, they are not taking final decision.

4. Mr. Prince Singh, Advocate has filed Memo of Appearance on behalf of respondent No.4 and submits that claim of petitioners is not pending before respondent No.4 and it may be pending before Government i.e. Additional Chief Secretary, Urban Local Bodies, Haryana.

5. Ms. Rajni Gupta, Addl. A.G., Haryana, who on advance notice is present in Court, submits that competent authority would consider claim of petitioners, if pending.

6. Let the needful, in terms of statement of State Counsel, be done within 3 months from today.

7. Disposed of.

18.03.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No