

(2020) 02 P&H CK 0290
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 5149 Of 2018

S.R. Madan And Others

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 25-02-2020

Acts Referred:

Haryana Affiliated Colleges (Pension And Contributory Provident Fund) Rules, 1999 — Rule 4

Citation : (2020) 02 P&H CK 0290

Hon'ble Judges : Nirmaljit Kaur, J

Bench : Single Bench

Advocate : Ranjit Saini, Pankaj Mulwani

Final Decision : Allowed

Judgement

Nirmaljit Kaur, J

1. The prayer in the present writ petition is for quashing the letter/reply to the legal notice dated 02.02.2018 and letter/reply to legal notice dated

16.02.2018 issued by respondent No. 2, with the further prayer to direct the respondents to consider the qualifying service for the purpose of pension

from the date of their appointment and not from the date of contribution of provident fund.

2. This Court is satisfied that the present case is squarely covered by the judgment rendered by this Court in the case of Suraj Prakash

Bajaj v. State of Haryana, CWP No. 22558 of 2016 decided on 29.4.2019.

3. In view of the above, the present writ petition is also allowed in the same terms in the case of Suraj Prakash Bajaj (supra).

4. The review application No. 402 of 2019 was filed in CWP No. 22558 of 2016 in the case of S uraj Prakash Bajaj (supra) and the same was

disposed of with a direction to the petitioner in the said case to deposit the share of the employees towards pension and contributory provident fund with 12% interest.

5. Learned counsel for the petitioners while objecting to the same submitted that the order passed in review application shows that the same was

passed on account of an undertaking and consent given by the petitioner in the said case. However, since Rule 4 of the Haryana Affiliated Colleges

(Pension and Contributory Provident Fund) Rules, 1999 also stipulates to deposit the share with 12% interest, the petitioners herein shall also be bound

by the order passed in the review application.