
(2020) 02 P&H CK 0203

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 11137 Of 2017

Suman Bhatia And Others

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 19-02-2020

Acts Referred:

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

Citation : (2020) 02 P&H CK 0203

Hon'ble Judges : Nirmaljit Kaur, J

Bench : Single Bench

Advocate : Ranjit Saini, Gaurav Jindal

Final Decision : Allowed

Judgement

1. The prayer in the present writ petition is for directing the respondents to consider the qualifying service rendered by the petitioners for the purpose

of pension from the date of their appointment and not from the date of contribution of provident fund with the further prayer to direct the respondents

to pay the revised pension and other benefits along with interest.

2. Learned counsel for the parties agree that the issue involved in 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 admitted position, the present writ petition is also allowed in the same terms in the case of Suraj Prakash Bajaj (supra).

4. At this stage, learned counsel for the respondents has pointed out that the review application No. 402 of 2019 was filed in CWP No. 22558 of 2016

in the case of Suraj 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.