

**IN THE HIGH COURT OF HIMACHAL PRADESH
AT SHIMLA**

CWPOA No.189 of 2019
Decided on: 31.12.2025

Bant Singh

.....Petitioner

Versus

Chief Secretary, to the Government of
Himachal Pradesh and others

....Respondents

Coram

Hon'ble Mr. Justice Ranjan Sharma, Judge

¹ *Whether approved for reporting?*

For the petitioner: Mr. Anil Kumar God, Advocate vice
Mr. Tarlok Jamwal, Advocate.

For the respondents: Mr. Sumit Sharma, Deputy
Advocate General, for Respondents
No.1 and 3-State.

Mr. Lokendar Paul Thakur, Senior
Panel Counsel, for Respondent
No.2-The Accountant General,
Himachal Pradesh.

Ranjan Sharma, Judge

Petitioner, Bant Singh, initially filed
CWP No.2703 of 2008 before this Court and upon
establishment of Learned State Administrative
Tribunal, the matter was transferred to Tribunal;
and after abolition of the Tribunal, the matter
stood transferred to this Court, as CWPOA No.189
of 2019, seeking the following relief:-

¹ *Whether reporters of Local Papers may be allowed to see the judgment?*

“12 (a) That the Annexure P-4 may kindly be quashed and set aside and the respondents may kindly be directed to allot the G.P.F. number to the present petitioner.”

2. Case set up by Learned Counsel for the petitioner is that petitioner was appointed as Lecturer in Economics and he joined as such in November 2005. Grievance of the petitioner is that he deserves to be given GPF Number, so as to permit him to subscribe to GPF as per Rules.

3. Pursuant to issuance of notice, the State Authorities have filed *Reply-Affidavit*, stating therein that employees who were appointed to the post under State Government after 14.05.2003 were to be governed by CCS [Pension] Rules, 1972 and CCS [GPF] Rules, 1960 which were not be applied to them. *Reply-Affidavit* indicates that GPF Numbers were allotted to those incumbents who were appointed prior to 14.05.2003 and since the petitioner was appointed after 14.05.2003 i.e. in October/November 2005, therefore, he does not have any right to claim that he should be governed by GPF Rules, 1960.

4. Heard, Mr. Anil Kumar God, Advocate appearing on behalf of Mr. Trilok Jamwal, Advocate, for

the petitioner; Mr. Sumit Sharma, Learned State Counsel, for Respondents No.1 and 3; and Mr. Lokendar Paul Thakur, Learned Senior Panel Counsel, for Respondent No.2.

5. *At this stage*, Learned Counsel, for the petitioner, *on Instructions*, states that the State Authorities have notified Old Pension Scheme, vide Office Memorandum on 04.05.2003 [*Taken on Record*], whereby, the benefit of pension has been revived, subject to fulfilment of conditions contained in the said Memorandum. Learned Counsel, for the petitioner, further states that once Old Pension Scheme has been revived, then, automatically CCS [GPF] Rules, 1960 ought to have been revived. In these circumstances, Learned Counsel, for the petitioner, submits that he may be permitted to approach the State Authorities, by way of appropriate *representation* for asserting his claim for pension and GPF [if permissible] retrospectively as per norms, within a reasonable period.

6. Prayer so made, is not opposed by Learned State Counsel and also by Learned Counsel for Accountant General, Himachal Pradesh, except to the

extent that even though the Old Pension Scheme has been revived, yet, the benefit of revival to GPF is not automatic and cannot be granted retrospectively.

7. Taking into the entirety of facts and circumstances and the material placed on record and the statement made by Learned Counsel for the petitioner; and leaving all questions open, this Court disposes of the instant petition, *in the following terms:-*

- (i) As prayed, petitioner is permitted to make a *representation* asserting the claim for revival of pension under Old Pension Scheme to Respondent No.3-Director of Education [now re-named as Director of School Education] to the Government of Himachal Pradesh, within six weeks from today;
- (ii) *Needless to say* that this Court has not adverted to the rival claims and contentions either qua Old Pension or for revival of GPF, which shall be considered/examined by the State Authorities hereinafter, in accordance with law, after hearing the petitioner, within the above period;
- (iii) *Needless to say* that upon consideration, in case, the claim for Old Pension or Revival of GPF is accepted, the State Authorities shall take steps for releasing the admissible benefits, within two months thereafter; and
- (iv) Costs made easy for respective parties.

In aforesaid terms, instant petition stands disposed of alongwith pending miscellaneous application(s), if any.

(Ranjan Sharma)
Judge

December 31, 2025
[Bhardwaj]