

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

**CWP No. 1216 of 2011 (O&M)
DATE OF DECISION :- August 31, 2015**

Vikram Singh and others

...Petitioners

Versus

**Central Administrative Tribunal, Chandigarh Bench and others
...Respondents**

CORAM: HON'BLE MR.JUSTICE M.JEYAPPAUL

HON'BLE MR. JUSTICE DARSHAN SINGH

Present:- Mr. ADS Jattana, Advocate for the petitioners.

Mr. I.P.S. Doabia, Sr. Panel Counsel for UOI.

Mr. Ashish Rawal, Advocate for respondents 3 to 6 and 8.

M.JEYAPPAUL, J.

1. Heard the submissions made on either side.
2. Government of Punjab introduced Contributory Pension Scheme for new entrants to the Punjab Government Service as per the notification dated 12.12.2006 found appended as Annexure A3. The same was adopted by the Chandigarh Administration and implemented to its employees vide its communication dated 14.2.2007. It is to be noted that Chandigarh Administration in the aforesaid communication, found appended as Annexure A2, gave

retrospective effect to the above Contributory Pension Scheme right from 1.1.2004.

3. The petitioners have joined service on 19.4.2004 as Constables. The above Contributory Pension Scheme implemented by the Chandigarh Administration vide Annexure A2 is under challenge.

4. The respondent Union Territory, Chandigarh produced today a written communication sent by Inspector General of Police through Deputy Inspector General of Police to the effect that the Police Department has, in principle, decided to allow the benefit of service to the petitioners and other similarly situated constables towards seniority, increment, pension, gratuity, GPF/G.I.S. etc. However, they would not be entitled to arrears of pay and allowances for the period they have not actually worked.

5. Referring to the above communication sent by the Inspector General of Police, the learned counsel appearing for U.T. Administration submits that the grievance of the petitioners have been suitably addressed by the department.

6. Learned counsel appearing for the petitioners would submit that if the Police Department allow the above benefit of service to the petitioners, the petitioners would be satisfied.

7. In view thereof, directing the respondents to implement the policy decision taken, as stated in the above communication and return the contribution made by the petitioners towards Contributory

Pension Scheme within four months from the date of this order, the

Writ Petition stands disposed of.

**(M. JEYAPPAUL)
JUDGE**

**(DARSHAN SINGH)
JUDGE**

August 31, 2015

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