

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

CWP-17242-2014

Date of decision:23.12.2015

Inder Singh & others

....Petitioners

Vs.

State of Punjab & others

....Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.R.K.Arora, Advocate, for the petitioner.

Mr.Pankaj Mulwani, DAG, Punjab.

Mr.Avinit Avasthi, AAG, Punjab.

G.S. Sandhawalia , J. (Oral)

The petitioners seek counting of services in the Punjab State Handloom and Textile Development Corporation (PUNTEX) and for quashing of memo dated 19.05.2014 (Annexure P22) whereby the services rendered with the Corporation before being absorbed with the respondents-Police Department and the Cooperative Societies, was rejected.

The Division Bench judgment of this Court in LPA-44-2006 titled *State of Punjab & others Vs. Subhash Chander Chadha & another*, decided on 24.03.2009, was sought to be distinguished and accordingly, the writ petition was initially contested, by filing written statement.

But thereafter, affidavit dated 08.10.2015 has been filed by the Chief Auditor to the Cooperative Societies whereby the

decision of the Finance Department dated 13.08.2015 (Annexure R1/T) has been placed on record. Same reads as under:

“In continuation of this department I.D.L. No.4/168/2014-1FPPC/514261/1 dated 22-6-2015, Financial Commissioner, Department of Cooperation, Punjab may kindly referred to subject cited above.

You are informed that keeping in view the decision dated 15-9-2015 of the Hon'ble High Court in Civil Writ Petition No.9251 of 2002 titled Subhash Chander Chadha, the concurrence is hereby accorded for counting the previous service rendered in the corporation of petitioners towards pensionary benefits on the condition that amount of CPF of the petitioner deposited in the department of Provident Fund Commissioner alongwith 12% interest be deposited in the Treasury of the State.

In the light of above situation, written statement be filed in the Hon'ble High Court on behalf of the Finance Department before the scheduled date.”

Accordingly, keeping in view the decision of the Finance Department, the present writ petition is disposed of, with a direction that respondent No.2 will intimate the petitioners the amount along with 12% per annum interest, which is to be deposited as the employee's share of the Provident Fund/CPF, within 2 weeks from the receipt of a certified copy of this order. The petitioners, on receipt of the said intimation, shall deposit the amount within a period of 4 weeks, thereafter, and the respondents, on the deposit of the amount, shall grant the

necessary benefits to the petitioners, within a period of 3 months,
from the receipt of the amount.

With the above said observations, the present writ
petition is disposed of.

DECEMBER 23, 2015
sailesh

(G.S. SANDHAWALIA)
JUDGE