

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

236(1) Civil Writ Petition No.22607 of 2014

Ram Chand and othersPetitioners

versus

State of Haryana and others ...Respondents

&

(2) Civil Writ Petition No.23146 of 2014

Smt. Shanti DeviPetitioner

versus

The State of Haryana and others ...Respondents

&

(3) Civil Writ Petition No.23912 of 2014

Om Parkash and othersPetitioners

versus

The State of Haryana and others ...Respondents

&

(4) Civil Writ Petition No.24245 of 2014

Surinder Kumar Sharma and othersPetitioners

versus

The State of Haryana and others ...Respondents

&

(5) Civil Writ Petition No.23559 of 2014

Ram Kishan Verma and othersPetitioners

versus

The State of Haryana and others ...Respondents

&

(6) Civil Writ Petition No.653 of 2015

Manohar Lal NagpalPetitioner

versus

Haryana Vidyut Prasaran Nigam Ltd. and others ...Respondents

&

(7) Civil Writ Petition No.10839 of 2013

V.K. SuriPetitioner

versus

State of Haryana and others ...Respondents

AND

(8) Civil Writ Petition No.1765 of 2015

Chander Bhan and othersPetitioners

versus

State of Haryana and others ...Respondents

Date of Decision : 15.05.2015

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

**Present: Mr. Vikas Chatrath, Advocate with
Mrs. Anutosh Garg, Advocate and
Mr. Vijay Kumar, Advocate for the petitioners
in CWP No.22607 of 2014.**

**Mr. Manohar Lal, Advocate for the petitioners
in CWP Nos.10839 of 2013.**

**Mr. Ravi Verma, Advocate for the petitioners
in CWP Nos.23912, 24245, 23559 of 2014.**

**Mr. Amit Kaith, Advocate for the petitioner
in CWP No.23146 of 2014.**

Mr. Rajesh Hooda, Advocate
for the petitioners in CWP No.1765 of 2015.

None for the petitioner in CWP No.653 of 2015.

Mr. Harish Rathee, Sr. DAG, Haryana.

Mr. P.S. Poonia, Advocate for the respondents
in CWP No.653 of 2015.

DAYA CHAUDHARY, J.

This order shall dispose of Civil Writ Petition bearing Nos.22607, 23146, 23912, 24245, 23559 of 2014; CWP Nos. 653, 1765 of 2015 and CWP No. 10839 of 2013 as the issue as well as the law point involved in these writ petitions are identical. In all the above-mentioned writ petitions, the petitioners, who have retired from service before 01.01.2006, have challenged the provisions under Rule 5(I)(iv) of Haryana Civil Services (Revised Pension) Part-I Rules, 2009.

Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the Division Bench judgment of this Court in case titled as '*R.K. Aggarwal and others vs. State of Haryana and others*' *Civil Writ Petition No.19641 of 2009, decided on 21.12.2012* and even SLP filed by the State in that case has also been dismissed and the decision has, therefore, attained finality. Learned counsel also submits that after dismissal of SLP, even all the petitioners in that case have already been granted the necessary relief.

In view of the limited prayer of the petitioners, without commenting anything on the merits of the case and after considering the submissions made by learned counsel for the petitioners, the present petitions are disposed of with a direction to the respondents to consider the case of the petitioners in view of ratio of judgment passed in **R.K. Aggarwal's case**

(supra) and an order with regard to grant of relief to the petitioners be passed within a period of three months from the date of receipt of certified copy of this order.

It is relevant to mention here that the judgement of **R.K. Aggarwal's case(supra)** is applicable to the employees who have retired prior to 01.01.2006.

(DAYA CHAUDHARY)
JUDGE

May 15, 2015
sonia g.