

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

CWP No. 27021 of 2013 (O&M)

Date of decision: 30.07.2015

Balbir Singh

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd., and others

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. V.D. Sharma, Advocate for the petitioner.

Mr. P.S. Poonia, Advocate  
for the respondents.

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**Jitendra Chauhan, J. (Oral)**

By way of the instant writ petition, under Articles 226/227 of the Constitution of India, the petitioner seeks issuance of directions to the respondents not to deduct the higher rate of compound interest i.e. 8 to 12% on the amount of EPF contribution.

The learned counsel for the petitioner submits that the petitioner has been discriminated against as the higher interest as reflected in Annexure R-1, the calculation chart submitted by the respondents has been charged from him,. He states that the similarly situated employees shown in Annexure P-6 had been charged @ 6% p.a., on EPF refund amount, whereas, the petitioner has been

charged @ 11 to 12% p.a from the period 05/1989 to 03/2001, without citing any circumstance or justification on record as to why the discriminatory treatment is meted out to the petitioner. The learned counsel states that the case of the petitioner is squarely covered by the decision passed in CWP No. 1518 of 2013, titled as **Dharam Pal Vs. Managing Director, UHBVNL, Panchkula and others**, decided on 29.10.2013 (Annexure P-6).

On the other hand, the learned counsel for the respondents submits that the petitioner rendered work charge service from 21.04.1977 to 09.11.1988. All the pensionary benefits have been paid to him towards his work charge service. The part of the EPF amount has already been refunded to the petitioner.

Heard.

Admittedly, as per Annexure P-6, the other similarly situated persons were charged interest @ 6% p.a., on the EPF refund amount, but the petitioner has been charged interests @ 11 to 12% p.a., for the period from 05.01.1989 to 03/2001 without any justification. The case of the petitioner is squarely covered by the decision passed in CWP No. 1518 of 2013, titled as Dharam Pal Vs. Managing Director (supra). The petitioner is entitled to the similar treatment equal to the similar situated employees.

Keeping in view the above facts, the present petition is allowed in terms of the **Dharam Pal's** case (supra). However, it is

clarified that the amount of employer share already paid to the petitioner shall be refunded by the petitioner along with interest @ 6% per annum, within eight weeks from the receipt of certified copy of this order.

30.07.2015

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**(JITENDRA CHAUHAN)**  
**JUDGE**

**Whether to be referred to reporter: Yes / No**