

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

**Civil Writ Petition No.23917 of 2015**

**Date of decision: 27.1.2016**

Charan Kaur

**...Petitioner**

**Versus**

The State of Punjab and others

**...Respondents**

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

Present: Mr. Manpreet Singh Longia, Advocate for the petitioner.

Mr. Pankaj Mulwani, Deputy Advocate General, Punjab.

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**G.S.SANDHAWALIA, J. (Oral)**

The petitioner seeks direction to count the regular service rendered by her husband from 1.7.1984 to 30.9.1993 in the PUNTEX (Punjab State Handlooms and Textiles Development Corporation) towards his pension and other admissible retiral benefits.

In the reply filed by the State, the plea taken was that the matter has been referred to the Finance Department keeping in view the decision of this Court in **Civil Writ Petition No.9251 of 2002-Subhash Chander Chadha Vs. State of Punjab and others** decided on 15.9.2005 and the Joint Secretary Finance has passed order dated 14.12.2015 (Annexure R/1).

A perusal of Annexure R/1 would go on to show that the concurrence has been accorded for counting of previous service subject to certain condition that the amount of CPF along with 12% interest be deposited in the Treasury of the State. Relevant portion reads as under:-

“In continuation of this department I.D.L. No.4/168/2014-IFPPC/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

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Punjab and Haryana High Court,  
Chandigarh

15.9.2005 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 petitioner towards pensionary benefits on the condition that amount of CPF of the petitioner deposited in the deposit of Provident Fund Commissioner along with 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.”

Resultantly, keeping in view the above 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 petitioner, 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.

**January 27, 2016**  
**Pka**

**(G.S.SANDHAWALIA)**  
**Judge**