

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

234

CWP-12-2015

Decided on 30.01.2017

VED PAL

....PETITIONER

VS

**FINANCIAL COMMISSIONER & PRINCIPAL SECRETARY TO
GOVT HRY ORS**

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Anita Balyan, Advocate
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G. Haryana

AJAY TEWARI, J.(Oral)

The petitioner was appointed as a Peon in the office of Haryana State Minor Irrigation Tubewell Corporation (in short HSMITC) on 31.08.1984 and in view of the policy of the Government certain employees of the HSMITC were absorbed/appointed in different department of the Government and the petitioner was absorbed/appointed in the office of Deputy Commissioner, Rewari on the post of peon on 16.04.1991. It is further stated that the Government issued instructions to count the services of the employees rendered in the non-pensionable organization as qualifying service for pension in case he deposit employer share of CPF received from the non-pensionable organization within the period of 06 months. However due to inaction of the petitioner within the period of 06 months the respondents held him ineligible for now claiming the benefit of pension.

Learned counsel for the petitioner states that the present writ

petition is covered by the judgment of this Court in the matter of

Parveen Sangwan vs. State of Haryana decided on 17.01.2017 in **CWP**
No.-5959-2016.

Learned Addl. A.G has accepted the fact that the present writ petition is covered by the aforesaid judgment but the dispute is that the petitioner had not deposited the CPF amount within the prescribed time limit.

Learned counsel for the petitioner states that as per the instructions of circular, the respondent-department had never given any information to the petitioner to deposit the employer share of Contributory Provident Fund while the petitioner is ready to deposit the amount of CPF alongwith interest thereon for getting the benefit of pension.

Keeping in view the plight as portrayed I deem it appropriate to direct the petitioner to now deposit the entire amount of CPF alongwith interest with the State Exchequer within 03 months from today. Ordered accordingly. In case the petitioner deposit the CPF amount within the aforesaid period, he would be entitled for pension on retirement.

Petition stands disposed of in the above terms.

30.01.2017
anuradha

(AJAY TEWARI)
JUDGE

-

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No