

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

210

**CWP No.27102 of 2013
Date of decision: 25.10.2017**

Nanhi Devi

...Petitioner

Vs.

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ram Niwas Sharma, Advocate for the petitioner.

Mr. Hitesh Pandit, Addl. AG, Haryana.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, the petitioner seeks the benefit of the service rendered by her in a Government aided school, on a Government aided post, between the years 25.01.1972 to 28.01.1992, after which she joined Government service upon regular selection w.e.f. 29.01.1992, from where she retired on 31.10.2005.

The petitioner has relied upon instructions of the Haryana Government, Annexure P-4, dated 31.05.2011, by which the benefit of service rendered in Government aided schools/colleges was decided to be given to such like employees, subject to certain conditions including the fact that a retired Government employee could opt for the benefit by depositing the share of contribution made by the Management, to the Contributory Provident Fund, along with 10% annually compounded interest, in lump sum, in the Government Treasury.

Mr. Sharma, learned counsel for the petitioner, submits that the petitioner is willing to comply with that condition, but despite that she has

been denied the benefit.

As per the reply filed on behalf of the respondents, it is stated that the period of service of the petitioner from the aided school could not be verified between 01.04.1991 to 27.01.1992, as the said school merged with the Jain Senior Secondary School, Gohana.

The petitioner on the other hand has placed on record a photocopy of her service book, showing her to be in service with the school (whose stamp has been given on the 3rd page of the said service book), from 25.01.1972 to 31.03.1991, with the endorsement on internal page 25 of the book showing that her service had been verified.

Consequently, this petition is allowed to the extent that the petitioner would be entitled to the benefit of service for the verified period, from 25.01.1972 to 31.03.1991, and upon her depositing the amount directed to be deposited as per the aforesaid instructions, as regards the managements' contribution to the CPF, along with 10% annually compounded interest, her pension shall be calculated and disbursed to her accordingly, within a period of 4 months from the date of receipt of a certified copy of this order.

October 25, 2017
Poonam (II)

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No