

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

**CWP No.19990 of 2017
DECIDED ON: SEPTEMBER 05, 2017**

CHANDGI RAM AND OTHERS

.....PETITIONERS..

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jawahar Lal Goyal, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of mandamus, directing the respondents to fix the pension of all the petitioners on the basis of last pay drawn at the time of their retirement instead of an amount of ₹6500/- as per judgment of Hon'ble Kerala High Court as well as Hon'ble Apex Court in case of Austin Joseph. C. (Annexures P-4 to P-6) with effect from due date, with all other consequential benefits.

2. At the very outset of the arguments, learned counsel for the petitioners submits that petitioners feel satisfied in case direction is issued to respondent No.2 to decide legal notice dated 19.03.2017 (Annexure P-8), within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.2-General Manager, Kurukshetra Central Cooperative Bank Ltd, Kurukshetra to look into the grievances unfolded by the petitioners in their legal notice dated 19.03.2017 (Annexure P-8) and decide the same, particularly keeping in view of the judgment of Hon'ble Apex Court, captioned as ***“Employees Provident Fund Organization and anr. v. Austin Joseph C and others”*** and judgments passed by Kerala High Court in case captioned as ***“Austin Joseph C. and others v. Union of India”*** and ***“The Employees Provident Fund Organization and another v. Austin Joseph C. and others”*** (Annexures P-4 to P-6) as well as Services Rules and Instructions and notification issued by Govt. from time to time, by passing a speaking order, within a period of 3 months from the date of receipt of certified copy of this order.

4. However, in case, the petitioners still feel aggrieved against the order passed by respondent(s), they shall be at liberty to approach this Court.

SEPTEMBER 05, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***