

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

Sr. No.117

**Civil Writ Petition No.20709 of 2017
DECIDED ON: September 13, 2017**

OM PARKASH

..PETITIONER

VERSUS

**THE EMPLOYEES PROVIDENT FUND ORGANIZATION AND
OTHER**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jai Bhagwan Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of certiorari to quash the action of the respondent No.3 for fixation of less pension vide PPO dated April 17, 2014 (P-1) on the basis of maximum salary Rs.6500/- per month instead of average salary of 12 months preceding to retirement as per Employee's Pension Scheme introduced w.e.f. November 16, 1995 and further issuance of a writ in the nature of mandamus directing the respondent No.2 to re-fix the pension of petitioner taking into account average of full salary for 12 month preceding

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to date of his retirement in accordance with provisions of Employees Provident Fund Pension Scheme, 1995 and release the arrear of the pension along with interest @ 18% per month from the date of accrual till date of payment as well as further direction to respondent No.2 to grant benefit of two years weightage of service to the petitioner who have rendered more than 20 years service under EPF Pension Scheme in view of letter dated July 22, 2016 (P-7) and release the arrear of pension along with interest @ 18% per month.

2. Learned counsel for the petitioner contends that though a representation was issued to the respondent No.2 on April 29, 2017 (Annexure P-5) but till date neither any reply to the said representation has been received nor any final order has been passed by the concerned authority.

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide his representation dated April 29, 2017 (Annexure P-5) in a time bound manner.

4. Instant petition is disposed of with a direction to respondent No.2-Regional Provident Fund Commissioner, S.C.O. No.4-7, Sector 17-D, Chandigarh to look into the grievances unfolded by the petitioner in his representation dated April 29, 2017 (Annexure P-5) and take a conscious decision by passing a speaking order as per rules and instructions issued by the Government from time to time particularly in view of clarification sought with regard to pension of higher wages dated November 24, 2005 within a period of three months from the date of receipt of a certified copy of this order.

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Ankur Goyal
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authenticity of this document
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5. However, if petitioner still feels aggrieved by any order of the
afore-said authority, he shall be at liberty to approach this Court.

September 13, 2017
Ankur

(JASPAL SINGH)
JUDGE

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