

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

LPA No.431 of 2017 (O&M)

Date of Decision :03.07.2017

Kurukshetra University, Kurukshetra
and another

....Appellants

Versus

Lt.Col.Kanwar Dharam Pal Singh(Retd.)
and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

....

Present: Mr.Amarjit Singh Virk, Advocate
for the appellants.

....

MAHESH GROVER, J. (Oral)

Learned counsel for the appellants states that the limited grievance against the impugned judgment is that though they are willing to consider the period of service of three years rendered by respondent No.1 with the University for all other purposes, yet he would not be entitled to pension in view of the fact that he was admissible to CPF Scheme and the pension regulations/scheme were introduced later. Besides, even though the respondent No.1 was working as Chief Security Officer with the University, he consciously opted for the CPF Scheme.

We find that this issue was never raised before the

learned Single Judge. Considering that the argument raised also raises an issue of facts, it would be just and appropriate if we permit the appellants to approach the learned Single Judge in the first instance with the aforesaid grievance to invite a finding on the issue raised. Ordered accordingly.

However, the delay of 60 days in filing the appeal, which is largely attributed to procedures, finding not so inordinate, is hereby condoned.

Appeal disposed of.

(MAHESH GROVER)
JUDGE

03.07.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

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