

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

Sr. No.131

Civil Writ Petition No.9878 of 2018
DECIDED ON: April 23, 2018

REJINDER PARSHAD GARG AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Padamkant Dwivedi, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ especially in the nature of Mandamus directing the respondents to calculate the arrears of contributory provident funds due to them in accordance with mandatory provisions of Panjab University Calendar treating salary as basic pay plus all allowances excluding House Rent Allowance for the period 1984 till the dates of their respective retirement and pay the same forthwith since similarly situated persons have already been paid such benefits.

2. The petitioners have retired from the respondent No.4 – R.S.D. College, Ferozepur City, District Ferozepur. They have prayed that they be

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given CPF by calculating it at the rate of 10% of the salary. The petitioners were being given this benefit @ 8% of the basic pay whereas they claim that salary under the provisions of Para 12.3 Chapter VIII (E) Volume 1 of Panjab University Calender which has been defined to be pay plus all allowances excluding House Rent Allowance and they be given the benefit of CPF @ 10% of their salary. They have also prayed that arrears of salary be also given.

3. Learned counsel for the petitioners submits that petitioners feel satisfied in case a direction is issued to respondents No.4 & 5 to decide the representation (P-10 colly) in terms of the judgment passed in CWP No.25131 of 2014 & connected cases captioned as ***K.L. Verma vs. State of Punjab & ors.*** decided on 14.11.2017, within some specified period.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents No.4 & 5 to look into the grievances unfolded by the petitioners in the representation dated February, 2018 (P-10 colly) and to take a conscious decision by passing a speaking order in the light of the judgment in ***K.L. Verma's case (supra)***, within a period of three months from the date of receipt of a certified copy of this order. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to approach this Court.

April 23, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**