

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

CWP-33456-2018

Date of decision: - 19.12.2018

Roshini Devi

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Roopak Bansal, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present case, the widow of late Sh. Udey Bhan has approached this Court with a prayer that she be allowed to change the option of her husband from EPF Scheme to Pension Scheme.

As per the averments made in the writ petition, the husband of the petitioner retired from service w.e.f. 28.02.1995, after he was declared 100% disabled. Thereafter, unfortunately the husband of the petitioner passed away.

Counsel for the petitioner states that the persons who were similarly situated as the husband of the petitioner were allowed to change the option by the Division Bench of this Court while deciding LPA No.1449 of 2013, decided on 14.05.2015. Therefore, the petitioner

should also be allowed to give option for switching over from the EPF Scheme to Pension Scheme on behalf of her husband.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, the petitioner has submitted a representation dated 15.09.2018 (Annexure P-8), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation.

In view of the above request, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the representation dated 15.09.2018 (Annexure P-8) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

Present writ petition stands disposed of.

December 19, 2018
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No