

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

(251)

CWP-12844-2017

Date of Decision: July 16, 2019

Dev Kumar Yadav and others

.. Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Malik, Sr. Advocate, with
Mr. Sandeep Kumar, Advocate, for the petitioner.

Mr. Charanjit Singh Bakhshi, Addl. A.G., Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which is being raised by the petitioners is that their service which they had rendered in Kamla Nehru College, Jataul Hailey Mandi, Gurugram, which is a Government Aided Private Institution, should be counted as a qualifying service for computing the pensionary benefits.

On the last date of hearing, learned counsel for the respondents had produced a letter dated 12.04.2019 wherein, this Court was informed that the relief which is being claimed by the petitioners has already been accepted by the respondents and the service which the petitioners have rendered in Kamla Nehru College, Jataul Hailey Mandi, Gurugram, has been approved to be counted as a qualifying service by the competent authority and after the calculations, the benefits for which the petitioners will be found entitled for, will be released. On the last date of hearing, following order was passed:-

*“In the present writ petition, the grievance which is
being raised by the petitioners is that their services which*

they had rendered in Kamla Nehru College, Jatauli Haily Mandi, Gurugram, which is a Govt. Aided Private College, should be taken as a qualifying service for computing the pensionary benefits.

Learned counsel for the respondents states that she has received a letter from the respondent-department dated 12.04.2019 and the service rendered by the petitioners in Kamla Nehru College, Jatauli Haily Mandi, Gurugram has been approved to be counted as a qualifying service by the competent authority. Only the calculations are being made, after which, the benefits to the petitioners will be released.

Keeping in view the above, learned counsel for the respondents is directed to file an affidavit positively by the next date of hearing about the release of the benefits to the petitioners as per their own letter dated 12.04.2019. In case the benefits have already been released to the petitioners in term of that letter, the same should also be incorporated in the affidavit. In case, any formality is to be completed by the petitioners in this regard, petitioners will also be informed immediately of the same so that there is no delay in the release of the ultimate benefits for which the petitioners have been held entitled for as per the respondents themselves.

Adjourned to 16.07.2019.”

Today, an affidavit has been filed by the Director Higher Education, Haryana wherein, it has been stated that the petitioners were asked to deposit their share of CPF vide letter dated 20.05.2019 and petitioners have already deposited their share with 10% interest and the necessary administrative orders have already been passed on 02.07.2019 granting them the benefit of past service. Now the case has been sent to the Principal Accountant General for releasing the revised PPO in favour of the petitioners so that further monetary benefits could be released to them.

Learned counsel for the respondents, on the instructions from Shri Ashu Bhalla, Assistant O/o Director Higher Education, Haryana, states that the monetary benefits will be released to the petitioners within a period of four weeks.

Learned senior counsel for the petitioners states that as the petitioners have deposited their CPF along with interest, they are also entitled for interest on the revised pension/benefits which are to be released to them. Learned senior counsel seeks liberty of the Court to approach the respondents in this regard by filing appropriate representation claiming the interest.

In case, any representatin is filed by the petitioners claiming interest, the respondents will decide the same within a period of four weeks from the date of the receipt of the copy of the same by passing appropriate speaking order in accordance with law keeping in view the settled principle of law on the said issued.

Keeping in view the above, no further orders are required to be passed and the present writ petition stands disposed of accordingly.

July 16, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes
Whether reportable:	No