

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

**CWP No.18943 of 2019 (O&M)
Date of Decision.14.07.2019**

Sanjeev Singh

...Petitioner

Vs

State of Haryana and others

..Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

-:-

AMIT RAWAL J. (ORAL)

Learned counsel for petitioner submits that short point involved in present case is that Finance Department, Haryana Government had come out with Notification dated 18.08.2018 introducing New Pension Scheme branding Haryana New Pension Scheme, 2008 whereby Government servants are required to make a contribution of 10% of Basic Pay + DA towards General Provident Fund and was made to be applicable to only those employees, who joined services on or before 1.1.2006.

Petitioner's name was recommended for selection in 2005 but appointment letter was issued on 8.2.2006 and joined the post of PTI Officiating in Government High School, Tigaon, Faridabad on 10.02.2006. Petitioner's case is thus covered under Old Pension Scheme and not under New Pension Scheme. Since then petitioner was not aware of aforesaid case but acquired knowledge only when judgment dated 30.09.2015 (Annexure P-9) came to his notice. In this regard sent legal notice dated 31.03.2019 (Annexure P-8) but no action has been taken.

Learned State counsel brought to notice of this Court that in connected matter, this Court had called District Education Officer and handed over letter dated 28.05.2019 contemplating to constitute a Committee to consider representations of affected employees and dispose of them in a time bound manner, though other matters pertaining to regularization etc.

In view of aforementioned position, I am of the view that present writ petition may be disposed of with direction to respondent No.2 to decide legal notice dated 31.03.2019 of petitioner within a period of one month from the date of receipt of certified copy of this Court and pass a speaking order thereon after giving opportunity of hearing. This Court is sanguine of the fact that aforementioned decision shall be taken within period prescribed and in case of otherwise, there shall be a direction of costs to be imposed and recovered from respondent No.2. This court is further of the view that if case of petitioner finds merit, all consequential benefits be also given to him, in view of contention made by Mr. Lamba as noticed above.

(AMIT RAWAL)
JUDGE

July 14, 2019
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No