

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

208

CWP-21535-2016

Date of Decision : January 28, 2020

A.S. MALHOTRA AND ORS

.....Petitioners

VERSUS

STATE OF HARYANA AND ORS

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Ranjit Saini, Advocate
for the petitioners.

Mr. Gaurav Jindal, Addl. AG, Haryana.

NIRMALJIT KAUR, J. (Oral)

The prayer in the present writ petition is for setting aside the decision in pursuance to the legal notice dated 14.9.2016 vide which the benefit of pension to the Principals/Associates Professors for the period from the date of their appointment upto the date of contribution of provident fund was rejected with the further prayer to direct the respondents to consider the qualifying service for the purpose of pension from the date of their appointment and not from the date of contribution of provident fund.

Learned counsel for the parties agree that the issue involved in the present case is squarely covered by the judgment rendered by this Court in the case of **Suraj Prakash Bajaj Vs. State of Haryana and others**, CWP No. 22558 of 2016 decided on 29.4.2019.

In view of the admitted position, the present writ petition is also allowed in the same terms in the case of Suraj Prakash Bajaj (supra).

At this stage, learned counsel for the respondents has pointed out that the review application No.402 of 2019 was filed in CWP No.22558 of 2016 in the case of Suraj Prakash Bajaj (supra) and the same was disposed of with a direction to the petitioner in the said case to deposit the share of the employees towards pension and contributory provident fund with 12% interest.

Learned counsel for the petitioners while objecting to the same submitted that the order passed in review application shows that the same was passed on account of an undertaking and consent given by the petitioner in the said case. However, since Rule 4 of the Haryana Affiliated Colleges (Pension and Contributory Provident Fund) Rules, 1999 also stipulates to deposit the share with 12% interest, the petitioners herein shall also be bound by the order passed in the review application.

January 28, 2020
ajay-1

(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No