

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CWP No. 5348 of 2020

Date of Decision : 29.01.2021

Binder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Baljeet Singh Sidhu, Advocate for the petitioners.

Ms. Akshita Chauhan, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

In the present writ petition, the prayer of the petitioners is that the amount, which they had deposited under the New Pension Scheme, which came into effect from 01.01.2004, be refunded as the petitioners have been held entitled for the benefits under the Old Pension Scheme keeping in view the law laid down by this Court in CWP No.2371 of 2010 titled as ***Harbans Lal Vs. State of Punjab and others***, decided on 31.08.2010.

Learned counsel for the petitioners prays that appropriate direction be issued to the respondents for the refund of the amount already deposited by the petitioners under the New Pension Scheme.

After the notice of motion, the respondents have filed the reply, wherein, they have found that petitioners are entitled for the refund of the

contribution paid by them under the New Pension Scheme and the details of each petitioner, in respect of the amount for which said petitioner is entitled, have been mentioned in the Office order dated 14.10.2020 (Annexure R-1).

Learned State counsel submits that before the said amount is released, an undertaking is to be given by the petitioners keeping in view the letter of the Department of Finance dated 24.10.2019 and as two petitioners have given their undertaking, their amount has already been released and in case the other petitioners furnish the said undertaking, the amount for which they have been held entitled, will be released immediately thereafter.

Learned counsel for the petitioners submits that the petitioners will submit the undertaking as required within a period of two weeks.

Learned counsel for the respondents submits that within a period of four weeks of the submission of the undertaking, the amount for which the petitioners have been held entitled in the office order dated 14.10.2020 (Annexure R-1), will be released to them without any fail.

Learned counsel for the petitioners submits that keeping in view the said undertaking given by the learned State counsel, petitioners do not wish to press this petition any further and the same may be disposed of as such.

Ordered accordingly.

It is made clear that the respondents will be bound by their statement recorded above.

January 29, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No