

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 6398 of 2022 (O&M)

Date of Decision:29.03.2022

HC/PR Bahadur Singh and others

.....Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Ms. Sunint Kaur, AAG., Punjab.

LISA GILL, J(Oral).

Prayer in this writ petition is for a direction to the respondents to release the amount deposited by the petitioners towards contributory provident fund along with interest accrued thereon.

Petitioners, it is stated were initially appointed on the post of Special Police Officers (SPOs) on daily wages on different dates in the year 1992. They were thereafter absorbed on the posts of Constables on different dates in the year 2004. They were thus wrongly ordered to be covered under the new defined contributory pension scheme. Learned counsel submits that petitioners are entitled to be covered under the Old Pension Scheme (OPS) in terms of order dated 02.02.2018 passed in CWP No. 29812 of 2017, Annexure P-6. GPF numbers were allotted to the petitioners. Relevant documents were submitted by the petitioners with the request to refund their

contributory provident funds, but no action has been taken by the department in releasing the Contributory Provident Fund to the petitioner. It is submitted that legal notice dated 28.04.2021, Annexure P-7 in this regard, was submitted by the petitioner, but to no avail.

At this stage, learned counsel for the petitioners restricts his prayer for a decision on the legal notice dated 28.04.2021 (Annexure P-7), in a time bound manner.

Notice of motion.

Ms. Sunint Kaur, AAG., Punjab, accepts notice on behalf of all the respondents. Advance copy of the writ petition stands served. Learned counsel for the State does not raise any serious objection to the restricted prayer addressed.

Keeping in view the limited prayer addressed, facts and circumstances of the case but without expressing any opinion on the merits thereof, this writ petition is disposed of with a direction to the competent authority, to decide legal notice dated 28.04.2021, Annexure P-7 filed by the petitioner by passing a speaking order, within three months from the date of receipt of certified copy of this order.

29.03.2022

s.khan

[LISA GILL]

Judge

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