

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

215

CWP-24426-2016

Date of Decision :07.09.2022

Baru Ram and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajiv Sharma, Advocate for the petitioners.

Mr. Sandeep Singh Mann, Addl. A.G. Haryana.

Mr. Uday Goyal, Advocate for Mr. Nitin Jain, Advocate
for respondent No.10 .Mr. Amit Sharma, Advocate for
Mr. Randeep Singh Cheema, Advocate for respondent No.6.

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Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioners is that their total length of service has not been taken into account by the respondents for computing their pensionary benefits and only the period for which the CPF was deducted, has been taken into consideration, which action of the respondents is contrary to the settled principle of law.

Learned counsel for the petitioners submits that the same question of law has already been answered by this Court while passing order in **CWP-5897-2003** titled as **Prem Chand Tagla and others vs. State of Haryana and others** decided on 09.01.2019, wherein it has been held that the total length of service of an employee is to be taken into account while

computing his/her pensionary benefits subject to the condition that the provident fund for the period, for which, the same has not been deducted, will be deposited by the employee concerned along with the statutory interest.

Learned counsel for the petitioners is agreeable that petitioners will deposit the contribution of CPF alongwith interest for the period, the same was not deducted.

Learned counsel for the respondents submits that keeping in view the said undertaking of the learned counsel for the petitioners, the respondent-authority will pass an appropriate order on the plea of the petitioners for giving them benefit of total length of service by keeping in mind the order passed by this Court in **Prem Chand Tagla's case (supra)** within a period of 08 weeks from the date of receipt of copy of this order and in case petitioners are found entitled for any relief, the same will be granted to them within a period of four weeks thereafter.

Learned counsel for the petitioners submits that keeping in view the statement made by learned State counsel, the grievance of the petitioners as raised in the present petition stands redressed and the present petition may kindly be disposed off having been not pressed any further.

Ordered accordingly.

September 07, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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