

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

CWP-21425-2021 (O&M)

Date of decision : April 18, 2022

Rohtash Kumar and others

.....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Bishan Dass Rana, Advocate for the petitioners.

Mr. Harish Nain, AAG, Haryana.

LISA GILL, J.

Petitioners in this writ petition seek quashing of the action of the respondents of allotting Permanent Pension Account Number (PPAN) to the petitioners instead of GPF Account Numbers, thereby depriving the petitioners of the benefits under the Old Pension Scheme under which they claim to be covered and entitled to all benefits as applicable to all employees who joined service prior to 01.01.2006.

Learned counsel for the petitioners submits that petitioners had joined services of the respondent-Department on part time/daily wage basis on different dates between the years 1992 to 2000 as are detailed in Annexure P-1. It is submitted that the New Restructured Defined Contributory Pension Scheme has been made applicable retrospectively w.e.f. 1st of January, 2006. For the relief claimed in this writ petition reliance is placed on decisions in CWP-2371-2010, CWP-1216-2011 as

well as CWP-1432-2012. Learned counsel for the petitioners further submits that the benefit has been afforded to a number of similarly situated employee as the petitioners, who had joined service prior to 01.01.2006 but whose services were regularized after the said date. In this respect the petitioners, it is contended have submitted representations but to no avail. Legal notice dated 21.08.2021 was also served upon the respondents but no decision has been taken thereon. At this stage, learned counsel for the petitioners restricts his prayer for a decision on the legal notice dated 21.08.2021 (Annexure P-11), in a time bound manner.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, 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 facts and circumstances of the case, but without any expression of opinion on the merits of the controversy, this writ petition is disposed of with a direction to the competent authority to decide petitioners' legal notice dated 21.08.2021 (Annexure P-11), within a period of four months from receipt of certified copy of this order.

April 18, 2022
rts

(LISA GILL)
JUDGE

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