

CWP-319-2022

Date of Decision: 01.02.2022

BHAGI RATH AND OTHERS

..... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILLPresent: Mr. B.D. Rana, Advocate
for the petitioners.

Mr. Samarth Sagar, Addl. AG, Haryana.

LISA GILL, J. (Oral)

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Petitioners in this writ petition seek pensionary benefits available to regular employees under the Haryana Civil Services Rules and claim allotment of GPF account numbers.

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 1995 to 2002 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 employees as the petitioners, who had joined service prior to 01.01.2004 but were regularized after the said date. In this respect the petitioners, it is contended have submitted representations but to no avail. Legal notice dated 25.10.2021 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 25.10.2021 (Annexure P-12), in a time bound manner.

Notice of motion.

Mr. Samarth Sagar, Addl. AG, 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 25.10.2021 (Annexure P-12), within a period of four months from receipt of certified copy of this order.

01.02.2022

Sunil

(LISA GILL)
JUDGE

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