

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9538-2023

Date of decision : 09.08.2023

Sanjay Dewan and others

..... Petitioners

Versus

The Employees Provident Fund Organization and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Jai Bhagwan Sharma, Advocate
for the petitioners.

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HARSH BUNGER, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of certiorari for quashing the action of the Regional Provident Fund Commissioner (respondent No. 2 herein) for rejection of fresh option exercised by petitioners working in the field offices of Haryana Seeds Development Corporation (respondent No. 3 herein), vide letter dated 21.07.2020 (Annexure P-1), whereby they have asked to contribute for EPF and EPS on the salary exceeding Rs. 15,000/- per month and denied the entitlement of petitioners to receive the pension on the basis of actual/higher salary in accordance of the Employees Provident Fund Pension Scheme, 1995, as amended upto date, at par with similarly situated employees working in the Head Office of respondent No. 3.

Notice of motion.

Mr. Rajesh Hooda, Advocate accepts notice on behalf of respondents

No. 1 and 2.

Learned counsel appearing for the petitioners as well as learned counsel appearing for respondents No. 1 and 2 are ad idem that the case of the petitioners is covered by the judgment rendered by a Coordinate Bench of this Court in *Shree Krishan Sharma and others Versus Employees Provident Fund Organization and others* (CWP-20224-2021, decided on 18.10.2022).

Learned counsel appearing for respondents No. 1 and 2 submits that so far as the petitioners are concerned, they are still working and their claim would be considered as and when they apply on attaining their age of superannuation.

In view of the aforesaid stand taken by the learned counsel for the parties, the present writ petition is disposed of in terms of the judgment rendered in *Shree Krishan Sharma and others Versus Employees Provident Fund Organization and others* (CWP-20224-2021, decided on 18.10.2022).

(HARSH BUNGER)
JUDGE

09.08.2023
sjks

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