

**247(4) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

***CM-12307-CWP-2023 in/and
CWP-12918-2019 (O&M)
Date of decision: 07.12.2023***

Mohabbat Raj and others
V/s

.....Petitioners

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Tahaf Bains, Advocate
for the petitioners.

Mr. Rajesh Hooda, Advocate
for the respondents No. 2 to 4.

DEEPAK MANCHANDA J.

CM-12307-CWP-2023 in/and CWP-12918-2019

This is an application under Section 151 CPC for disposal of the main writ petition i.e. ***CWP-12918-2019*** in view of the judgment of the Hon'ble Supreme Court of India dated 04.11.2022 in SLP No.8658-8659/2019 and other bunch of cases.

Learned counsel for the non-applicant-petitioners does not object to the prayer made by learned counsel for the applicant-respondents No.2 to 4.

For the reasons mentioned in the application, same is allowed and the main case i.e. ***CWP-12918-2019*** is taken on board today itself.

Main case

This petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ of certiorari for quashing the order dated

17.01.2019 (Annexure P-4) passed by respondent No.4 whereby he has declined to consider the case of the petitioner No.1 for grant of pension under the EPF scheme on the basis of actual salary and contribution in wake of quashing of notification dated 22.08.2014 vide judgment dated 12.10.2018 (Annexure P-5) upheld by the Hon'ble Supreme Court vide order dated 01.04.2019 (Annexure P-7) and with a further prayer for issuance of a writ in the nature of certiorari for quashing the order dated 1.04.2019 (Annexure P-13) passed by respondent-Bank and further for issuance of writ in the nature of mandamus directing the respondents to hear and decide the applications/representations dated 08.04.2019 (Annexure P-12) to which a non-speaking order has been passed rejecting the claims of the petitioners for grant of pension under the EPF scheme who have retired after 31.08.2014 and further directions be issued to respondents to fix and grant the pension of the petitioners under the EPF scheme on the basis of their actual salary and contribution made towards the scheme.

Learned counsel for the respondents No.2 to 4 submits that the present petition be disposed of in view of the judgment of the Hon'ble Supreme Court of India passed in SLP No.8658-8659/2019 and other connected cases decided on 04.11.2022 as the specific relief has been granted to the petitioners in Para No.44(iv) of the aforesaid judgment.

Faced with this, learned counsel for the petitioners submits that he has no objection if the present petition is disposed of in view of the aforesaid judgment dated 04.11.2022 and respondents be directed to decide the claim of the petitioners within three months.

In view of the submissions made by learned counsel for the respondents No. 2 to 4 for disposal of the writ petition and no objection made by the learned counsel for the petitioners, as aforesaid, the present writ petition is

disposed of in view of the judgment dated 04.11.2022 of the Hon’ble Apex Court passed in SLP No.8658-8659/2019 and other connected cases with a direction to the respondents to decide the claim of the petitioners within a period of three months from the date of receipt of certified copy of this order.

Pending application(s), if any, also stands disposed of accordingly.

07.12.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

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