

2023:PHHC:103325

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

220/A

CWP-15964-2019(O&M)

Date of Decision:-09.08.2023

UDHAM CHAND AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Parth Goyal, Advocate for
Mr. Anurag Goyal, Advocate
for the petitioners.

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

Mr. R.S. Duggal, Advocate
for respondent No.2.

SANDEEP MOUDGIL, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of writ in the nature of certiorari quashing the impugned order on agenda item No.7(Annexure P-12) rejecting the proposal for granting pay scale of Rs.3000-4500 to the Chief Seed Certification Officer/Seed Analyst of Haryana Seed Certification Agency dated 24.04.1995.

Status report by way of an affidavit of Jagdeep Singh Brar, Director, HSSCA dated 08.08.2023 has been filed today in Court. The same is taken on record. Para No.3 of the said affidavit elaborates the details of payments made on account of revised pay scale, leave encashment and gratuity as Annexures R-3, R-4 and R-5 respectively. As far as the case of the pension is concerned, it has been narrated in the affidavit that pension to the employees of Haryana State Seed Certification Agency is granted by the Employees Provident Fund Organization.

Learned counsel for the petitioner controverts the said fact stating that the petitioner has not received the pension so far, which has not been released

either by the Haryana State Seed Certification Agency or by Employees Provident Fund Organization despite the fact that he has submitted complete papers for preparation of pension case prior to his retirement.

Faced with this situation, learned counsel for the respondent No.2 submits that though he cannot depose the actual date but the case for pension has already been processed to The Employees Provident Fund Organization prior to date of superannuation of the petitioner

On oral request of the learned counsel for the petitioner, Employees Provident Fund Organization is ordered to be impleaded in the array of parties as respondent No.4 as the case already stands processed and it is for the newly added respondent-Employees Provident Fund Organization to release pension to the petitioner, which has not been released yet.

In the light of such eventuality, this Court order to implead Employees Provident Fund Organization being necessary as respondent No.4 and direction is issued to it while disposing of the instant petition that in case pension case has not been dealt by now, it shall be processed and completed and thereafter pension be released within a period of two weeks from the date of receipt of certified copy of this order.

In case, the said relief is not made out, the petitioner would be at liberty to move an application to this Court to get the present petition revive.

The present petition stands disposed of.

All pending miscellaneous applications, if any, also stand disposed of.

09.08.2023
P.Bhatt

(SANDEEP MOUDGIL)
JUDGE

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