

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

114

**CWP-9881 of 2018
Date of Decision:03.02.2023**

Arun Syal and others

....Petitioner(s)

Versus

Union of India and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Paramjit Singh Thiara, Advocate,
for the petitioners.

Mr. NK. Vashist, Senior Panel Counsel
for respondent No.1.

Mr. Rajesh Hooda, Advocate,
for respondents No.2 and 3.

Mr. Abhishek Arora, Advocate, for
Mr. Sumit Jain, Advocate,
for respondents No.4 and 5.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking quashing of the letter dated 31.05.2017 vide Annexure P-8 vide which the benefit of pension on full salary under Employees Pension Scheme, 1995 has been denied to the members of exempted establishments.

Learned counsel for the petitioners submitted that the respondent Food Corporation of India falls in the category of exempted establishments under the provision of the Employees Provident Fund. He submitted that now the issue as to whether the exempted establishments are

also entitled for the benefit under the Pension Scheme at par with the other establishments has since been decided by the Hon'ble Supreme Court in **The Employees Provident Fund Organization and Anr. Etc. versus Sunil Kumar B. and Ors. Etc. 2022 (4) SCT 674**. It is submitted that in view of the aforesaid position that the issue of law has been decided, the present petition may be disposed of accordingly.

Mr. Rajesh Hooda, learned counsel appearing on behalf of respondents No. 2 and 3 has submitted that it is correct that the issue of law has since been decided in the aforesaid judgment.

In view of the aforesaid position, the present petition is disposed of.

Respondents No.4 and 5 are directed to now proceed with the claim of the petitioners in the light of the judgment passed by the Hon'ble Supreme Court.

(JASGURPREET SINGH PURI)
JUDGE

February 03, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No