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

**CM-5663-CWP-2023 &
CM-5666-CWP-2023 in/and
CWP-26316-2021
Date of Decision: 02.08.2023**

Suresh Kumar and others

..... Petitioners

Versus

The Employees Provident Fund Organization and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Ashutosh Kaushik, Advocate
for the non-applicants/petitioners.

Mr. Rajesh Hooda, Advocate
for applicants/respondents No.1 to 3.

HARSH BUNGER J.

1. Present petition has been filed on behalf of the petitioners under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing of orders/replies dated 08.11.2021 (Annexure P-6) and 18.11.2021 (Annexure P-7), vide which the claim of petitioners for re-fixation of their pension on their full/actual/higher salary on the basis of their actual contributions in accordance with the provisions of the Employees Pension Scheme, 1995 and at par with similarly situated retirees of respondent No.4-Corporation, as specified in the writ petition, has been rejected. A further prayer has been made to issue a writ in the nature of *mandamus* seeking directions upon the respondents to re-fix the pension of

petitioners on their full/actual salary on the basis of their actual contributions in accordance with the provisions of the Employees Pension Scheme, 1995 and at par with similarly situated retirees of respondent No.4-Corporation and to release the arrears of pension with 18% interest from due date till the date of actual payment.

2. Learned counsel for the parties are *ad idem* that the issue in the instant case is squarely covered by the decision rendered by a co-ordinate Bench of this Court in CWP No.20224 of 2021, decided on 18.10.2022 (Annexure P-9), accordingly, the instant petition be also disposed of in the same terms.

3. Keeping in view the aforesaid submission made on behalf of learned counsel for the parties, the present petition is disposed of in terms of judgment dated 18.10.2022 (Annexure P-9) passed in CWP No.20224 of 2021.

4. All pending application(s), if any, shall also stand closed.

02.08.2023

Apurva

**(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No