



CWP-875-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-875-2024

Date of decision: 07.08.2024

RANJIT KUMAR KULAVI AND OTHERS

...PETITIONERS

Vs.

UNION OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Abhijeet Singh Rawaley, Advocate
for the petitioners.

Mr. Ravi Sodhi, Senior Panel Counsel
for respondent No. 1-Union of India.

Mr. Rajesh Hooda, Advocate
for respondent Nos. 2 and 3.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioners through instant petition under Article 226 of the Constitution of India are seeking direction to respondents to release arrears of higher pension payable under the Employees' Pension Scheme, 1995 along with interest @ 18% per annum.

2. On 15.01.2024, the following order was passed:

“On advance notice, Mr. Umesh Pandey, Advocate for Mr. Ravi Sohi, Senior Panel Counsel, UOI, for respondent No.1 and Mr. Rajesh Hooda, Advocate appears on behalf of respondent Nos 2 & 3 and raises question regarding maintainability of the writ petition. He submits that some number of the petitioners herein, have filed separate writ petitions wherein the higher pension under the Employees' Pension Scheme, 1995 along with its interest has been claimed. Said writ petitions are yet to be decided, therefore, the prayer made in the present writ petition could only be entertained, after the final decision of the said writ petitions i.e. CWP No.



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14622-2023, CWP No.19390-2023, CWP No.13145-2023 and CWP No.23721-2023 (Annexure P-3 to P-6). Therefore, Mr. Rajesh Hooda, Advocate, submits that the present writ petition has been instituted pre-maturely.

Adjourned to 31.01.2024.

However, learned counsel for the petitioners does not dispute the factual situation and submits that the other retired employees who are similarly situated are already getting the higher pension.”

3. Mr. Rajesh Hooda, Advocate submits that multiple petitions raising the same issues and prayer have been dismissed as withdrawn. The question of actual entitlement of amount of pension is pending before this Court in CWP-14622-2023 and other connected petitions. He further submits that if petitioners succeed in connected petitions, they would be entitled to arrears along with interest, thus present petition is not sustainable.

4. In view of statement of Mr. Rajesh Hooda, Advocate and the fact that question of determination of amount of pension is pending before this Court in other writ petitions, I do not find it appropriate to entertain present petition at this stage.

5. Dismissed.

07.08.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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