



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

(Sr. No.102)

CWP No.26592 of 2018

Date of decision: 22.08.2024

Brijender Singh Chhikara

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. G. S. Bhandal, Advocate for the petitioner.

Mr. Vivek Chauhan, Addl. A. G., Haryana.

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DEEPAK SIBAL, J. (Oral)

(1) On 08.01.1975, the petitioner joined as an Assistant Professor in the College of Animal Sciences in the Chaudhary Charan Singh Haryana Agriculture University, Hisar and on 31.08.2006 he retired from the post of Professor.

(2) Through the instant petition the petitioner has prayed for the grant of revised pension in terms of the Haryana Civil Services (Revised Pension) Part-II Rules, 2009 (for short – 2009 Rules) as also for the benefits under the amendment made to the 2009 Rules through notification dated 25.08.2014. However, at the time of hearing, learned counsel for the petitioner restricts his claim only to the grant of revised pension under the 2009 Rules.



(3) Once the petitioner has restricted his claim only to the grant of revised pension under 2009 Rules, learned counsel for the parties are at *ad idem* that the petitioner's claim is covered in his favour in terms of the following paragraph of judgment dated 19.07.2024 rendered by a Full Bench of this Court in a bunch of petitions in which the lead case was **CWP No.17310 of 2015 - Shamsher Singh and others Vs. State of Haryana and others :-**

“41. Consequently, Rule 8(3) of Part-II Rules, 2009 is held to be violative of Articles 14 and 16 of the Constitution of India and is accordingly struck down. All the employees who were in service as on 01.01.2006, will be entitled for the benefit of Part-II Rules, 2009 notified on 17.04.2009 irrespective of the fact whether they retired before the Notification dated 17.04.2009 or thereafter.”

(4) In the light of the above, the petitioner is held entitled only to the benefit of the Haryana Civil Services (Revised Pension) Part-II Rules, 2009 along with arrears and all other consequential benefits.

(5) The petition is allowed in above terms.

(DEEPAK SIBAL)
JUDGE

22.08.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No