

2024:PHHC:100961



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CWP-22302-2020

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

CWP-22302-2020

Date of Decision: 06.08.2024

V.P. SHARMA

..... PETITIONER

VERSUS

BHAKRA BEAS MANAGEMENT BOARD AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR JUSTICE ALOK JAIN

Present: Mr. Dheeraj Chawla, Advocate and
Mr. Amit Parashar, Advocate
for the petitioner.
Mr. Sanjiv Ghai, Advocate and
Mr. Parminder S. Kaul, Advocate
for respondent No. 1.
Ms. Saloni Sharma, Advocate for
Mr. Prateek Mahajan, Advocate
for respondent No. 2.

ALOK JAIN, J. (ORAL)

1. The present writ petition has been filed for issuance of the writ in the nature of Mandamus to direct the respondent No. 1 to consider the past service of 6 and a half years of the petitioner rendered with respondent No. 2, out of which only 01 and a half years is required to make him entitled for full pension as the petitioner has completed 23 and a half years of service with respondent No. 1 as well as for directing the respondent No.



1 to re-fix the pension of the petitioner after counting his past service with respondent No. 2 and to grant all the consequential benefits admissible thereupon.

2. Learned counsel for respondent No. 1 has very fairly placed on record the copy of office order dated 05.08.2024, whereby approval has been conveyed for counting of past service rendered by the petitioner in HSSIIEC from 28.10.1981 to 05.06.1988 towards pensionary benefits subject to the condition that either the previous organization of the petitioner i.e. HSSIIEC contributes towards pensionary benefits for the period he has rendered in service in that organization or the petitioner/HSSIIEC deposits the amount of pension contribution received from the previous employer with BBMB with interest at the rate applicable during that time period.

3. I have heard learned counsel for the parties. The respondent No. 1 is directed to give a clear calculation with regard to the amount that they ought to receive from the petitioner/HSSIIEC in light of the averments made above and the same shall be done within 15 days from today. The petitioner/ HSSIIEC will deposit the said amount with the respondent No.1 within a period of one month thereafter and the respondent No. 1 shall release all the dues of petitioner after the calculation w.e.f 01.01.2012 i.e. after the petitioner retired from service on 31.12.2011 and shall re-fix the pension of the petitioner within two months thereafter. It is made clear that the respondent No.1 shall also pay the same rate of interest on the dues which they are liable to pay as they will charge on the amount to be

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deposited by the petitioner/HSSIIEC. It is also made clear that in case the respondent No.1 fails to abide by this order after the expiry of two months, the pay of the concerned Secretary/officer shall be stayed and not be released.

4. Disposed of accordingly.
5. Pending applications, if any, also stand disposed of.

06.08.2024

Seema

(ALOK JAIN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>