



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

135+136+140

**(1) CWP-8457-2025
Date of decision: 26.03.2025**

GURNAM SINGH

....PETITIONER

Vs.

STATE OF HARYANA AND OTHERS

...RESPONDENTS

(2) CWP-8460-2025

RAMJAN

....PETITIONER

Vs.

STATE OF HARYANA AND OTHERS

...RESPONDENTS

(3) CWP-8484-2025

DEVENDER KUMAR KHANNA

....PETITIONER

Vs.

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Raman B. Garg, Advocate and
Mr. Mayank Garg, Advocate
for the petitioners.

Mr. Raman Sharma, Addl. A.G., Haryana
(in CWP-8457-2025).

Ms. Rajni Gupta, Addl. A.G., Haryana
(in CWP-8460-2025 and CWP-8484-2025)
for respondent No. 3 (in CWP-8457-2025) and also representing
other respondents (in CWP-8460 of 2025 and CWP-8484 of 2025).

JAGMOHAN BANSAL, J (ORAL)

1. By this common order, above-said petitions are being disposed of since issues involved in all the petitions and prayer sought therein are identical.
2. The petitioners through instant petitions under Article 226 of the Constitution of India are seeking direction to respondents to extend them benefit of Old Pension Scheme because they were in service prior to 01.01.2006.



CWP-8457-2025

-2-

and other connected cases

3. The petitioners joined service much prior to 01.01.2006 and State Government w.e.f. 01.01.2006 implemented New Pension Scheme (NPS). The petitioners are claiming that respondents have considered similarly situated employees for Old Pension Scheme and petitioners without any reason have been denied substantial benefit of Old Pension Scheme. The respondents vide order dated 12.01.1996 ordered to count past service of another employee towards pension under Rule 3.12-A of CSR Volume-II.

4. Learned counsel for the petitioner further submits that Ramjan (petitioner in CWP-8460-2025) was granted benefit of ACP on the basis of his past service.

5. The order dated 12.01.1996 passed in the case of another employee is reproduced as below:-

“From

*Financial Commissioner and Secretary, Haryana Government,
Finance Department.*

To

*Director,
Local Audit Department,
Haryana.*

Memo.No.14/93/92-3 V.L.

Dated: 12.1.1996.

***Sub: Counting Past Service towards pension u/R 3.12-A of CSR Vol.
II to Sh. Rajpal Gupta, Auditor.***

Sir,

*In reference to your memo.No.TT./P.F./L.A.D./95/545, dated
22.12.1995 on the subject cited above.*

2. The Government is in agreement with the proposal of the department that the service rendered by Shri Rajpal Gupta, Auditor in Public Works Department (Public Health) from dated 25.11.1970 to 15.11.1972, which is of prior to coming in Haryana Dairy Development Corporation, be counted as qualifying service for the purpose of pension as per instructions No.1/2/18/-2F.R.II dated 31.1.1984.



and other connected cases

3. *The Finance Department as per its DO No.1/2/81/95-2F.R.TT, dated 10.1.1996 has granted its approval in the matter.*

4. *The service book of the concerned is returned hereby in original.*

Please send the acknowledgement.

Sd/- 12.1.1996

*Superintendent Financial Audit,
for Financial Commissioner and Secretary, Haryana Government,
Finance Department.*

Endst. No.TT/P.F./L.A./96/7769

Dated: 18.1.1996

*A copy of above is forwarded to the following for information
and necessary action:-*

- 1. Superintendent (Accounts),*
- 2. General Assistant-TT*
- 3. Shri Rajpal Gupta, Auditor.*

Sd/- 12.1.1996

*Local Audit Examination Officer,
for Director, Local Audit Examination, Haryana,
Chandigarh. ”*

6. On being confronted with aforesaid order passed by Financial Commissioner and Secretary Haryana Government, Ms. Rajni Gupta, Additional A.G., Haryana submits that Competent Authority would consider the case of petitioners in accordance with law.

7. The petitions stand disposed of with a direction to respondents to consider claim of the petitioners and pass an appropriate order within 3 months from today. The respondents shall take care of orders passed in the case of similarly situated employees. The petitioners shall refund CPF along with interest as applicable, if they are extended benefit of ‘Old Pension Scheme’.

26.03.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No