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

CWP-22555-2025 (O&M)

Date of decision: 11.12.2025

Jagjit Singh and others

... Petitioners

Vs.

Employee Provident Fund Organization and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Nitesh Singla, Advocate
for the petitioners.

Mr. Gaurav Tangri, Advocate
for the respondents.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing of the letters dated 26.03.2025 and 25.06.2025 (Annexures P-2 & P-3 respectively), vide which claim of the petitioners for grant of higher pension has been rejected and further to issue a writ in the nature of *mandamus* directing the respondents to grant higher pension based on higher

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salary and all the consequential benefits along with interest @12% per annum.

2. Learned counsel for the petitioners, *inter alia*, contends that the petitioners are retired employees of respondent No.3-HOUSEFED and they opted for the pension under the Employees Pension Scheme, 1995 (for short 'the scheme'). At present, the petitioners are getting pension as per Rules framed by Employees Provident Fund Organization. Further, the petitioners exercised their option in terms of the judgment passed by the Hon'ble Supreme Court in ***The Employees Provident Fund Organization and another Vs. Sunil Kumar B. and others, 2023 (12) SCC 701*** and in spite of that, their claim for higher pension was rejected vide letter dated 26.03.2025 (Annexure P-2). Thereafter, the petitioners served a legal notice dated 02.06.2025, which was replied on 25.06.2025 stating therein that since the joint option was not exercised prior to 2007, their claim was right rejected, as discernible from Annexure P-3.

3. Learned counsel for the petitioners further submits that the petitioners are ready to pay the differential contributions for their entitlement to higher pension under the scheme, as they are eligible and their claim was rejected on the ground that they had not contributed on higher wages prior to 2007. Further, eligibility of the petitioners is not in question. As such, case of the petitioners is squarely covered by the judgment rendered by the Hon'ble Supreme Court in ***Sunil Kumar B.***'s case (*supra*) and the judgment of this

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Court in ***Inderjit Singh Kaknian and others Vs. Union of India and others, 2024 NCPHHC 120846.***

4. *Per contra*, learned counsel for the respondents is not in a position to controvert the fact that the petitioners are being paid pension, however, their claim for higher pension has been rejected only on the ground that the contribution on higher wages was not made to respondent No.2 prior to 2007. He could not distinguish the case of the petitioners from that of the petitioners in ***Inderjit Singh Kaknian***'s case (*supra*).

5. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

6. In view of the facts and circumstances of the case and the fact that the issue involved in the present petition has already been settled by this Court, present petition is allowed in terms of the judgment rendered by this Court in ***Inderjit Singh Kaknian***'s case (*supra*). Consequently, the impugned letters dated 26.03.2025 and 25.06.2025 (Annexures P-2 & P-3 respectively) are hereby set aside.

7. Respondent No.2 is directed to issue the demand notice within a period of eight weeks from today. The petitioners are also directed to deposit the differential amount, as per demand notice to be issued, within next eight weeks.

8. Thereafter, respondent No.2 will process the case of the petitioners and grant them the benefit of higher pension, in terms of ***Inderjit***

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Singh Kaknian’s case (*supra*).

9. The pending miscellaneous application(s), if any, shall stand disposed of.

11.12.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No