



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

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**CWP-34124-2019 (O&M)
Date of decision: 11.08.2025**

Retired Bank Karmi Employees Welfare Association through its
President

....Petitioner

Versus

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manoj Kumar Taya, Advocate
for the petitioner.

Mr. Rajesh Hooda, Advocate
for respondents No.2 and 3.

None for respondent No.4.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari, for quashing the impugned letter dated 06.09.2019 or other similar letters and set-aside the action of the respondent wherein the retired employees of respondent No.4 has been denied the benefit of revision of pension on higher wages due to exercise of option after the date of retirement. Further a writ of mandamus has been sought for directing respondent No.3 to fix the revised pensions from the due date along with all consequential benefits after accepting the requisite contribution from the employees in compliance of the settled position of law.



2. Learned counsel for the petitioner, inter alia, contends that some of the employees of the respondent No.4 – Bank, have been granted the benefit of higher pension, who have submitted their option even after their retirement. Thereafter, the respondent/Bank has passed an order on 07.02.2023 and reduced the pension payable to those employees. Aggrieved by the order dated 07.02.2023, the similarly situated employees approached this Court by way of filing a petition i.e. **CWP No.17035 of 2023**, which was decided on **12.09.2024** along with bunch of other petitions, main case being **CWP No.5378 of 2024**, titled as ***Inderjit Singh Kaknian and others vs Union of India and others***. As such, the petitioner is also entitled to the relief claimed by similarly situated employees as this Court in ***Inderjit Singh Kaknian's case (supra)*** has categorically held that the employees who retired from service prior to 01.09.2014, without exercising an option under the un-amended para 11(3) of the Employees Pension Scheme, 1995, filed an option after the judgment in ***R.C. Gupta vs Regional Provident Fund Commissioner Employees Provident Fund Organization (2018) 14 SCC 809*** and whose options were accepted by the authorities, are entitled to enhanced pension benefits. He further submits that the case of the petitioner is squarely covered by the decision of this Court in ***Inderjit Singh Kaknian's case (supra)***. Learned counsel for the petitioner further submits that he would be satisfied in case a direction is issued to respondents No.2 and 3 to consider the claim of the petitioner, the details of whom are mentioned in the written statement of



respondent No.4 and pass a speaking order in terms of the judgment rendered by this Court in ***Inderjit Singh Kaknian's case (supra)***.

3. On the other hand, learned counsel for respondents No.2 and 3 submits that the present petition has not been filed by the respective employees and the same has been instituted on behalf of a Welfare Association and as such, this writ petition is not maintainable. He further submits that the Division Bench of this Court in CWP No.14622 of 2023 and other connected case, titled as ***Employees Provident Fund Pensioners Welfare Association vs Union of India and others***, decided on 28.03.2025, has already directed the Provident Fund Authorities to consider the case of each employee individually and pass a speaking order after hearing all the concerned persons. He further submits that respondents No.2 and 3 would consider the case of the petitioner in the light of the judgments rendered by this Court in ***Inderjit Singh Kaknian's case (supra)*** and ***Employees Provident Fund Pensioners Welfare Association's case (supra)***.

4. In view of the above, the present petition is disposed of with a direction to respondent – Provident Fund Authorities to consider and decide the claim of 58 employees, whose names are mentioned in the written statement filed by respondent No.4 and pass a speaking order strictly in terms of the judgments passed by this Court in ***Inderjit Singh Kaknian's case (supra)*** and ***Employees Provident Fund Pensioners Welfare Association's case (supra)***, within a period of four months from today, after affording an opportunity of hearing to each employee.



Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the employees, who names are mentioned in the written statement filed by respondent No.4, are found entitled to the relief sought, the same shall be granted to them forthwith.

(HARPREET SINGH BRAR)
JUDGE

11.08.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No