

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

109

CWP-28138-2022

Date of Decision : November 07, 2025

BAKSHO DEVI AND ORS.

-PETITIONERS

V/S

**THE REGIONAL PROVIDENT FUND COMMISSIONER
(PENSIONS) AND ORS.**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Binat Sharma, Advocate (Through V.C.)
for the petitioners.

Mr. Samir Rathaur, Advocate
for the respondents No.1 and 2.

KULDEEP TIWARI, J. (ORAL)

1. The present writ petition assails the recovery notices dated 29.11.2019, 02.01.2020, 29.01.2020, and 01.03.2021, whereby the petitioners have been directed to deposit a sum of ₹ 3,76,390/-, alleged to have been erroneously received by them as family pension for the period spanning 2009 to 2019.

2. Succinctly stated, the petitioners were in receipt of dual pension benefits under P.P.O. No. 18160 and P.P.O. No. 20405. Upon discovery of this fact, the respondent(s) discontinued both pension payments in the year 2019 and subsequently issued the impugned recovery notices.

3. On the previous date of hearing, the following order was passed:

“After arguing the matter at some length, learned counsel for respondents No.1 and 2, seeks an adjournment to have apt instructions from the quarter concerned, and inform this Court, by filing a specific affidavit, as to whether, the petitioners are still

entitled to one family pension under the Act/Rules in vogue? If the answer is in affirmative, whether the pension is being paid to them since 2019 or not?

Adjourned to 07.11.2025.

To be shown in the urgent list.

Interim order to continue, till the next date of hearing.

It is made clear that, on the subsequent date of hearing, no request for adjournment would be entertained on behalf of either side.”

4. In deference to the directions embodied in the hereinabove extracted order, an affidavit dated 04.11.2025 has been filed before this Court by Mr. Roshan Lal, APFC, Legal, Regional Office, Employees' Provident Fund Organization, Chandigarh. In this affidavit, it has been specifically averred that consequent upon the stoppage of both pensions since 2019, a sum of ₹ 1,33,076/- has already been adjusted towards the recoverable amount. It is further voiced that the balance amount of approximately ₹ 2,43,314/- shall be recovered through partial deductions from the family pension payable to the petitioners under the first P.P.O. The relevant extracts of the affidavit are reproduced hereinbelow:

“4. That the petitioner Smt. Baksho Devi is entitled to receive only one family pension under the provisions of the Employees' Pension Scheme, 1995. Upon detection of double drawl of pension by the petitioner, her both the pensions being drawn by her vide PPO No. 18160 and PPO No.20405, were stopped in the year 2019.

5. That at present no pension payment is being made to her under either of the PPOs mentioned above. It is humbly submitted that the petitioner's entitlement to resume the admissible single family pension shall arise only after full recovery of the excess amount drawn under the second PPO.

6. That the total amount overdrawn by the petitioner vide the inadmissible second PPO on account of double pension drawl is

Rs.3,76,290/- (approx.). That on account of stoppage of both the pensions of the petitioner since 2019, a recovery of Rs. 1,33,076/- has already been adjusted against the amount recoverable from the petitioner.

7. That the balance amount still due to be recovered from the petitioner by the respondent department is Rs.2,43,314/- (approx.). That under the provisions of the Employees' Pension Scheme, 1995, there is no provision to accept the repayment of overdrawn amount by the petitioner, by making partial deduction from the admissible pension under the first PPO. The petitioner is entitled to payment of Rs. 1751/- per month qua her first PPO after making good the loss caused to the department on account of her unlawful drawl of second PPO.”

5. In view of the categorical stand of the respondent(s) that the recovery shall not be effected in one installment but through gradual deductions from the admissible family pension, learned counsel for the petitioners expresses satisfaction with the said arrangement. However, he prays that upon completion of the recovery, the respondent(s) be directed to resume payment of the full admissible amount of family pension to the petitioners, to which learned counsel for respondents No. 1 and 2 raises no objection.

6. Consequently, no further directions are warranted in the matter, and the present writ petition stands **disposed of** accordingly. Nevertheless, liberty is reserved to the petitioners to approach the competent authority in case of any further grievance.

November 07, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No