



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

120

CWP-26450-2025 (O&M)
Date of decision: 08.09.2025

Ajit Kumar Jain

....Petitioner

Versus

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Padamkant Dwivedi, Advocate
and Ms. Mansi, Advocate
for the petitioner.

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 *mandamus*, directing the respondents to grant enhanced pension to the petitioner in terms of option exercised by him and pay the arrears thereof with interest @ 9% per annum.

2. Learned counsel for the petitioner, *inter alia*, contends that some of the employees of respondent No.4 – Corporation, have been granted the benefit of revised pension, who have submitted their option even after their retirement. As such, the petitioner is also entitled to the relief claimed by similarly situated employees as this Court in **CWP No.5378 of 2024** and other connected cases, titled as ***Inderjit Singh Kaknian and others vs Union of India and others***, decided on **12.09.2024**, 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 Kaknani's case (supra)***. He further contends that the Division Bench of this Court in **CWP No.14622 of 2023** and other connected cases, 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. 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 and pass a speaking order in terms of the judgment rendered by this Court in ***Inderjit Singh Kaknani's case (supra)***.

3. Having heard learned counsel for the petitioner and after perusing the record of the case with his able assistance, the present petition is being decided *in limine* without issuing notice to the respondents in order to save judicial time of the Court and also the litigation costs of the respondents.

4. In view of the limited prayer made by learned counsel for the petitioner, the present petition is disposed of with a direction to



respondent No.2 to consider and decide the claim of the petitioner and pass a speaking order strictly in terms of the judgments passed by this Court in *Inderjit Singh Kaknians 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 the petitioner. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to him forthwith.

(HARPREET SINGH BRAR)
JUDGE

08.09.2025
yakub

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