



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

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CWP No.28851 of 2024 (O & M)

Date of decision : 2.7.2025

Prakash Lal Ahuja

.....Petitioner

Versus**The State of Haryana and others**

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Arav Gupta, Advocate, for the petitioner

Mr. Naveen S. Bhardwaj, Addl. AG, Haryana

Ms. Shazia K. Singh, Advocate, for
Mr. Ajaiveer Singh, Advocate, for respondent no.3

SHEEL NAGU, CJ. (ORAL)

1. This petition has been filed for issuance of a writ of *certiorari* for quashing the amendment made in Rule 11.1 Volume II of the Punjab Civil Services Rules (as applicable to Haryana) vide Punjab Civil Services Rules, Volume II (Haryana First Amendment) Rules, 2003 vide notification dated 4.3.2003, Annexure P-2, made applicable w.e.f. 1.1.1996 and Punjab Civil Services Rules, Volume II (Haryana Amendment) Rules, 2011 vide notification dated 10.5.2011, Annexure P-3, made applicable w.e.f. 17.4.2009, being contrary to the interest of retired employees as the commuted amount of pension gets recovered in just 11 years and 2 months as per interest rate formula, in the case of persons who retired at the age of 58 years and in 10 years and 11 months in the case of persons who retired at the age of 60 years, the same is continuing to be recovered by the respondents/State till 15 years. The petitioner further prayed for quashing the impugned Rules 95 (2) and 106



of Haryana Civil Services (Pension) Rules, 2016, Annexure P-5, which mandate that the commuted value of pension shall be recovered for a period of 15 years. It is also prayed that direction be issued to the respondents to restore petitioner's full pension immediately on expiry of 11 years and 2 months in case of persons retired at the age of 58 years & 10 years and 11 months in case of persons retired at the age of 60 years, and to stay the recovery of commuted value from pension beyond that period during the pendency of the instant petition.

2. Learned counsel for the parties are *ad idem* that the questions raised in this petition had been considered and decided by the Coordinate Bench of this Court on 27.11.2024 in **CWP No.9426 of 2023** titled ***Shila Devi and others v. State of Punjab and others.***

3. Consequently, the petition is disposed of in same terms as the judgment in the case of ***Shila Devi and others*** (supra). It is, however, clarified that in paragraphs no.29 and 30 of the abovementioned judgment, wherein reference has been made to the State of Punjab, the same shall be read as reference to the State of Haryana as well.

4. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(SHEEL NAGU)
CHIEF JUSTICE

(SUMEET GOEL)
JUDGE

2.7.2025
Ashwani

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