



COCP-1057-2018

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

103-B

COCP-1057-2018 (O&M)

Date of Decision: February 27, 2026

Dr. L.S. Yadav

.....Petitioner

Vs.

Vijay Singh Dahiya

....Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. K.L. Arora, Advocate
for the petitioner.

Mr. Harish Nain, A.A.G. Haryana

SUDEEPTI SHARMA J. (Oral)

1. The present contempt petition has been filed for non-compliance of order dated 27.04.2017 passed in CWP No. 2413-2016.
2. The relevant portion of the same is reproduced as under:-

“It being so, the present petition is allowed with a direction to the petitioner to deposit Rs.7,000/- withdrawn by him from the first college along with interest to be calculated and intimated by respondent No.1 within two months from the date of receipt of certified copy of this order. Thereafter, the petitioner will deposit the said amount with respondent No.1 and on deposit of the said amount, the previous service of the petitioner shall be treated as qualifying service for the purpose of grant of pension and pensionary benefits and the said benefits shall be released, accordingly, by the respondents within next three months, failing which the interest @ 9% per annum shall be paid to the petitioner. However, since the petitioner has approached this Court after 8



years of his retirement, therefore, he will not be entitled to any interest on the arrears.”

2. Learned State counsel submits that in compliance of the above referred to order, affidavit of A. Sreenivas, IAS, Director Higher Education, Panchkula Haryana dated 13.12.2015 has been filed along with copy of Annexure R-1 to R-4. The same is taken on record. Registry is directed to tag the same at an appropriate place. The relevant extract of the same is reproduced as under:-

“4. That the concerned Principal, Kishan Lal public Co[lege, Rewari was requested to send ihe service book of the petitioner along with calculation sheet of the CPF amount to this office immediately, so that order of Hon'ble Hiigh Court dated 27.04.2017 may be complied with. The office has issued several reminders to the principal of K.L.P College Rewari on dated 06.07.2017, 12.07.2017, 25.07.2017, 30.08.2017 07.09.2017, 20.09.2017,12.10.2017 and 21.10.2017 to deposit/adjust the required balance amount of CPF alongwith interest applicable, which requires to be recovered from the petitioner. The petitioner Sh. L.S. Yadav himself has send letter dated 21.11.2017 and requested to adjust the amount of CPF of Rs. 6,48,954/-. In his revised pension/gratuity arrear, A copy of the letter dated 21.11.2017 is enclosed as Annexure R-1

5. *That the amount of Rs. 680389/- was calculated as arrear and after adjusting the recovered amount Rs. 648954/- as share of CPF alongwith compound interest @ 12 % (Rs.629894/- as arrear of revised pension + 19060 as Gratuity arrear: Total Rs. 648954) was adjusted and the balance amount of Rs. 50495/- (i.e. Rs. 680389-629894 = 50495/-) was paid and his revise pension of Rs. 28,820/- in place of 25327/- was fixed/ sanctioned vide order dated 29.11.2017. copies are hereby enclosed as Annexure R-2 and R-3.*



6. *That as per Pension Rules 1999 and Revised pension Rules 2001, the maximum full pensionary benefit (pension & Gratuity) has been given on the basis of 33 years qualifying service after considering the previous service from 15.07.1971 to 02.11.1977. The total qualifying service of the petitioner is 35 years five months, if the qualifying service more than 33 years the benefit is to given upto maximum 33 years qualifying service as per rule. It is also worthwhile to mention here that the answering respondent have relied upon the case CWP No. 7725 of 2013 titled as Rajeshwer Aggarwal Vs State of Haryana decided by the Hon,ble High Court on 04.11.2014 relating to the calculation of interest on Contribution Provident Fund for granting pensionary benefit to retiree o Non Govt. Aided Colleges in the State of Haryana. The operative part is reploduced as under:-*

Keeping in view all the above, this petition is allowed and the impugned order dated 30. 1 L201 2 is quashed, The respondents are directed to calculate the amount of contribution to be made by the petitioner as employers' share, along with 10% per annum compound interest thereon, for the period that he served in Maharaja Agarsen Mahavidyalaya, Jagadhri from 01.07.1971 to 04.06.1975 and the Indira Gandhi National College, Ladwa, from 05.06.1975 to 04.06. 1977, i.e. the period of service of the petitioner in Government aided colleges in Haryana, when no contribution to the Provident Fund was made. Hence, the answering respondent has rightly calculated the compound interest @ 10% per annum and also as per advice of Finance Department, Haryana vide U.O. No. 60/66/2015-FD II/2016 dated 25.07.2018.

7. *That in compliance of orders dated 27.04.2017 passed before the Hon,ble High Court, the case of the petitioner was reconsidered by the Government and after seeking the concurrence of Finance Department, Haryana vide U.O. No. 60/66/2015-FDII/22016 dated 25.07.2018., the*



excess amount of recovery of Rs.3,77,7471- was paid to the petitioner and the same has been deposited in his pension account No. 2878101053036 in Canara Bank at Rewari. A copy of acknowledgment is enclosed as Annexure R-4.”

4. A perusal of the above referred to affidavit shows that order dated 27.04.2017 passed in CWP No. 2413-2016 has been duly complied with.
5. Accordingly, the contempt is purged. Rule is *discharged*.
6. Pending application (s) if any also stands disposed of.

February 27, 2026

Gaurav Arora

**(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No