



CWP-7181-2026(O&M) & & other matters

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

Date of decision: 21.04.2026

252. CWP-7181-2026(O&M)

Lakhwinder Masih & ors.

... Petitioners

Vs.

**The Employees Provident Fund Organization
and others**

... Respondents

255. CWP-10215-2026(O&M)

Narain Singh

... Petitioner

Vs.

Regional Provident Fund Commissioner & anr.

... Respondents

256 CWP-10757-2026(O&M)

Chanchal Singh & ors.

... Petitioners

Vs.

Union of India and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vipin Mahajan, Sr. Advocate with
Mr. Randeep Singh, Advocate and
Ms. Manju Fulara, Advocate
for the petitioners in CWP-7181-2026.

Mr. Ajay Sharma, Advocate
for the petitioner in CWP-10215-2026.

Mr. A.S. Walia, Advocate
for the petitioners in CWP-10757-2026.

Mr. Rajesh Hooda, Advocate
for respondent-EPFO.



Ms. Gauri Sharma, Advocate
for respondent No.2 in CWP-10215-2026.

Mr. Himmat Singh, Advocate
for respondent No.6 in CWP-7181-2026 and
for respondent No.4 in CWP-10757-2026.

HARPREET SINGH BRAR, J. (ORAL)

1. This common order shall dispose of the afore-mentioned civil writ petitions as they arise from a similar factual matrix. However, for the sake of brevity, the facts are taken from CWP-7181-2026.

2. The present petition(s) has been filed under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of *mandamus* or any other appropriate writ order or directing the official respondents to permit the petitioners to deposit their contribution along with interest/additional interest into pension fund and thereafter, to approve their claim for higher pension in terms of demand notices dated 25.09.2024, 14.10.2024, 17.03.2025, 30.03.2025 (P-1 to P-4) and in the light of law settled by Hon'ble Apex Court in the case of **"The Employees Provident Fund Organization & ors. Vs. Sunil Kumar B. & ors."**, decided on 04.11.2022 in Civil Appeal No.8143-8144 of 2022 by taking final and a conscious decision on the legal notice dated 11.01.2026 (Annexure P-8) and judgment dated 09.10.2025 passed by this Court in CWP-29633-2025 (Annexure P-9).



3. On 11.03.2026, the following order was passed:-

*“Learned counsel for the petitioners, inter alia, contends that the petitioners retired from respondent No.6-Corporation between the years 2021 and 2026 and they exercised option within the stipulated time. Their claims were verified and accepted by respondent No.6. Thereafter, respondent No.5-Regional Provident Fund Commissioner issued demand letters (Annexures P-1 to P-4) to the petitioners directing them to deposit the due amount by 31.10.2024 (without interest) or by 31.12.2024 (with interest). However, due to financial constraints, the petitioners could not deposit the amount within the prescribed time. The petitioners submitted a representation 25.09.2025 (Annexure P-6) followed by legal notice dated 11.01.2026 (Annexure P-8) seeking permission to deposit the amount, but their request has been kept pending without any justifiable reason, despite the fact that they fulfill all the eligibility conditions. It is further contended that the petitioners are ready and willing to deposit the amount, demanded vide demand letters (Annexures P-1 to P-4) along with upto date interest in terms of the judgment rendered by this Court in **CWP-29633-2025** titled as **Hazara Masih Vs. Employees Provident Fund Organization and others**, decided on 09.10.2025 (Annexure P-9).*

Notice of motion for 16.04.2026.

At this stage, Ms. Bhanu Singh Rohilla, Advocate for Mr. Himmat Singh, Advocate accepts notice on behalf of respondent No.6 and waives service. She files Vakalatnama in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place of the case file. Process qua respondents No.1 to 5 be issued for the date

fixed.

Dasti as well.

To be taken up immediately after the urgents.”

4. Learned counsel for respondents No.1 to 5 in CWP-7181-2026 submits that the facts of the case of ***Hazara Masih (supra)*** (Annexure P-9) are different as the petitioner therein had approached this court well before the active date fixed vide circular dated 11.08.2025, in which the last date to deposit the demanded amount was fixed as 31.08.2025, whereas the petitioners in the present case were issued demand notice on the following dates:-

Sr. No.	Name	Date of demand notice
1.	Petitioner No.1-Lakhwinder Masih	25.09.2024
2.	Petitioner No.2-Gurdial Singh	14.10.2024
3.	Petitioner No.3-Surjit Singh	17.03.2025
4.	Petitioner No.4-Kewal Raj	30.03.2025

5. The petitioners did not approach either the respondents or this Court till filing of the final notice dated 11.06.2026. As such in case the employees, who are not conscious of their welfare, cannot be permitted to seek any indulgence beyond a reasonable period of time as it would make impossible for the respondents to finalize the scheme and would create delay in full operation of the scheme.

6. Having heard learned counsel for the parties and perusing the



record, it transpires that the eligibility of the petitioners is not in dispute. The petitioners have submitted the joint offer in time pursuant to the demand notice (Annexures P-1 to P-4). They could not arrange the funds due to financial constraints and there is no denial of the fact that retirees do not have financial capabilities to arrange the demanded amount immediately upon receiving the demand notices and this Court is also agreeable to the arguments advanced by learned counsel for respondents No.1 to 5 with regard to deposit of the demanded amount within reasonable time.

7. To strike a balance between the rights of eligible pensioners and the administrative constraints of the respondent Corporation, this Court is of the considered view that any eligible pensioner who either approaches this Court or serves a legal notice upon the respondent Corporation within a period of six months from the last extended date, i.e., 31.08.2025, shall be deemed to have acted within a reasonable timeframe. Such period of six months is held to be just, fair, and pragmatic, particularly for a retired individual, as it affords adequate opportunity to address objections and arrange the requisite funds as demanded pursuant to the notice issued by the respondents, whether on grounds of financial constraints or any other valid justification.

7. As such, the present petitions are disposed of in the peculiar facts and circumstances of the case in terms of the judgment rendered by this Court in *Hazara Masih (supra)* as the petitioners have approached this Court within a period of 6 months from the cut off date fixed vide circular dated



11.08.2025, one last opportunity is granted to the petitioners to deposit the demanded amount in terms of Annexures P-1 to P-4 within a period of 4 weeks along with interest @ 8.10% per annum, to be calculated as per the last date given in the demand notice till 30.05.2026 and on receipt of the aforesaid amount, respondents No.1 to 5 are directed to process their case and grant them the admissible benefits in terms of the EPF Scheme.

21.04.2026
monika

[HARPREET SINGH BRAR]
JUDGE

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