



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

225

CWP-25573-2019 (O&M)
Date of decision: 28.04.2026

Sheelawanti

....Petitioner

Versus

Haryana Vidyut Parsaran Nigam Limited and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. D.R. Bansal, Advocate
for the petitioner.

Mr. Satyam Tandon, Advocate
for the respondents.

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 *certiorari*, for setting-aside the order dated 21.06.2019 (Annexure P-11) and the endorsement No.254/EG/209/Vol.III dated 22.07.2019 (Annexure P-13-T) to the extent of returning the representation with the remarks that family pensioners are not eligible for LTC. Further prayer has been made to direct the respondents to release the provident fund amount and LTC of the deceased husband of the petitioner in her favour with interest from the due date till the date of payment.

2. At the outset, learned counsel for the respondents submits that the grievance of the petitioner stands substantially redressed. He further submits that the work-charged service of the deceased employee



has been counted towards pensionary benefits, the last pay drawn has been revised accordingly and the family pension has been re-fixed, pursuant to the recommendations of the 7th Pay Commission. He further contends that the Employees Provident Fund (EPF) share has been duly adjusted in terms of the consent/undertaking furnished by the petitioner as is evident from Annexure R-1.

3. *Per contra*, learned counsel for the petitioner disputes the accounts statement annexed with the additional affidavit filed on behalf of respondent No.2 and submits that the calculations made by the respondent/Corporation are incorrect. He further submits that the grievance of the petitioner with regard to provident fund contributions has not been effectively redressed, particularly on account of non-availability of the complete service record.

4. In rebuttal, learned counsel for the respondents submits that the calculations have been carried out in terms of the applicable policies dated 21.06.2011 and 06.12.2013, which provides the procedure for making the calculations in the event of non-availability of the record.

5. Having heard learned counsel for the parties and after perusal of the record, it is evident that the petitioner, by way of an affidavit dated 07.10.2014, had undertaken that the Employees Provident Fund (EPF) share along with interest, as per the policy of the Nigam, be adjusted from the arrears of pay and in case of any shortfall, the same would be deposited by her in cash. On the basis of the said undertaking, an amount of Rs.74,262/- has been adjusted towards the



EPF employer’s share and a further balance of Rs.10,190/- has been deposited by the petitioner in cash. The petitioner, however, disputes the correctness of the said adjustment and calculations.

6. In view of the aforesaid factual dispute, which would require examination of evidence and detailed scrutiny of accounts, this Court is of the considered opinion that the same cannot be appropriately adjudicated in exercise of writ jurisdiction.

7. Faced with this situation, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file a civil suit for the redressal of the grievance of the petitioner raised in the present petition.

8. Dismissed as withdrawn with liberty aforesaid.

(HARPREET SINGH BRAR)
JUDGE

28.04.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No