



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

229

**CWP-6695-2017 (O&M)  
Decided on :30.04.2025**

PREM DASS

. .petitioners

Versus

STATE OF PUNJAB AND OTHERS

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

PRESENT: Mr. Arshdeep Bhullar, Advocate for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Gaurav Tangri, Advocate for respondent NO. 1.

Mr. K.S. Rupal, Advocate for respondent No. 2 & 3.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

1. In the present petition, the claim of the petitioner is that the petitioner is entitled for the benefit of pension after being voluntary retired from the services of respondent No. 2 under Voluntary Retirement Scheme floated by respondent No. 2.

2. Learned counsel for the petitioner submits that the provident fund authority is liable to grant benefit of pension to the petitioners as is being granted to the other retired employees.

3. Upon notice of motion, respondents have filed their reply wherein they have stated that the petitioner opted for the Voluntary Retirement Scheme in the year 1994 and in accordance to the Scheme available at that time, only the benefit of Provident Fund was to be given to the retired employees and the same has already been given to the petitioner in the present case. As per respondents the pension scheme only started in the year 1995 much after the retirement of the petitioner and hence, the claim of



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the petitioner which is on the basis of the Pension Scheme, which Scheme came into operation after his retirement in the year 1995, cannot be made applicable upon the petitioner.

4. I have heard learned counsel for the parties and have gone through the case file with their able assistance.

5. The claim of the petitioner is for the grant of benefit of pension as is being provided by the provident fund authorities to other employees, keeping in view the deduction being made by the provident fund authorities. Learned counsel for the petitioner has not been able to point out that the pension scheme was available at the time when the petitioner sought voluntary retirement from the service of respondent No. 2 in the year 1994. Once, the pension scheme was not in operation at the time of retirement of the petitioner, the same cannot be made operational retrospectively so as to grant the benefit of pension to the petitioner.

6. Further, the benefit of Provident Fund has already been released to the petitioner. That being so, the claim of the petitioner for the grant of pension which Pension Scheme came much after the retirement of the petitioner, cannot be made applicable upon the petitioner. Hence, Keeping in view the facts and circumstances of the present case recorded herein above, no ground is made out for any interference by this Court in the present petition, hence, the same stands **dismissed**.

7. Pending civil miscellaneous application, if any, stands disposed of.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**30.04.2025**

*Riya*

*Whether speaking/reasoned:* Yes/No

*Whether Reportable:* Yes/No