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

**CWP-11616-2026 (O&M)
Date of decision: 20.04.2026**

Rajesh Kumar Sharma and others

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sumeet Mahajan, Sr. Advocate with
Mr. Shrey Sachdeva, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to implement Old Pension Scheme, adopted by the Haryana Police Housing Corporation, to its employees and further to direct respondent No.4 to grant pensionary benefits to the petitioners upon their superannuation, as per Old Pension Scheme instead of Employees Provident Fund Scheme.

2. Learned senior counsel for the petitioners, *inter alia*, contends that the respondent-Corporation is wholly owned and controlled by the State of Haryana, which performs functions akin to a government department and



its administrative and financial control vests with the State Government. Further, the Government of Haryana took a policy decision dated 26.06.1992 (Annexure P-11), vide which the Boards/Corporations under its jurisdiction were permitted to introduce pension scheme in lieu of Contributory Pension Fund Scheme/Employees Provident Fund Scheme. Pursuant thereto, the respondent-Corporation through its Board of Directors passed a resolution on 31.08.1992 (Annexure P-12) adopting the pension scheme, as applicable to State Government employees. Thereafter, steps were taken for implementation of the pension scheme including calling for options from employees. In purported compliance, the petitioners exercised their options for pension scheme. The respondent-Corporation also communicated with the Accountant General for operationalization of the said scheme. It is further contended that despite completion of all necessary formalities and a clear policy decision (Annexure P-11), the respondents failed to implement the pension scheme and as such, the petitioners are still continued under the Employees Provident Fund Scheme without any lawful justification. Furthermore, all the petitioners were appointed prior to 01.01.2006 and they are legally entitled to be governed by Old Pension Scheme. The petitioners submitted repeated representations, including the representation dated 14.08.2015 (Annexure P-20), but the same remain unheeded.

3. Learned senior counsel for the petitioners submits that at this stage, the petitioners would be satisfied, in case the present petition be treated as a comprehensive representation and some time bound directions may be issued to the respondents to decide the same, by passing a speaking order after



affording an opportunity of hearing to the petitioners.

3. Notice of motion.

4. Mr. Vikrant Pamboo, Addl. AG, Haryana, who is present in the Court, accepts notice on behalf of respondents No.1 to 3-State while Mr. Prince Singh, Advocate accepts notice on behalf of respondent No.4. They submit that grievance raised by the petitioners in the present petition would be considered by the respondents by treating the same as comprehensive representation, in a time bound manner, by passing a speaking order.

5. In view of the limited prayer made on behalf of the petitioners, present writ petition is disposed of. The respondents are directed to treat this writ petition as a comprehensive representation and consider the claim of the petitioners and pass a speaking order after affording them an opportunity of hearing, within a period of three months from the date of receipt of certified copy of this order. Further, the decision taken shall be conveyed to the petitioners.

6. Needless to say, if the petitioners are found entitled to the relief sought, the same be granted to them forthwith by the competent authority.

7. The pending miscellaneous application(s), if any, shall stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

20.04.2026
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No