

No.1/15/2024-1Pension (FD)

From

Additional Chief Secretary to Government, Haryana
Finance Department

To

- 1 **Principal Accountant General (A&E), Haryana,**
Sec-33 B, Chandigarh.
2. **Director General**
Treasuries and Accounts Department, Haryana,
Chandigarh.

Dated-24.12.2024

**Subject: Issue of stay order on recovery of Commuted Value of Pension-
Vacation of Stay order.**

I am directed to invite your attention towards this Department's Memo No. 1/15/2024-1 Pension (FD) dated 13.06.2024, 19.06.2024, 25.06.2024, 26.06.2024, 01.07.2024 and 16.07.2024 wherein in compliance to Interim Order passed by Hon'ble Punjab and Haryana High Court in various CWPs, the necessary directions were issued to stop the recovery of Commuted Value of Pension till the vacation of Stay Orders, from all Pensioners (including petitioners) of State Government who has completed 10 years of retirement or above.

2. Now Hon'ble Punjab and Haryana High Court has disposed of the CWP-15098-2024- Ram Niwas Rohilla and others Vs. State of Haryana and others, regarding Commuted Value of Pension on 19.12.2024. The operative part of above Order reads as under:-

"Learned counsel for the parties are in agreement that the issue(s) and the question(s) of law raised through the instant petition have been considered and decided on **27.11.2024** by a Co-ordinate Bench of this Court in a bunch of petitions in which the lead case was **CWP-9426-2023-Shila Devi and others vs. State of Punjab** and others.

In the light of the above, we dispose of the present petition in terms of Shila Devi's case (supra) with the only modification that wherever in paragraphs 29 and 30 of the judgment in Shila Devi's case (supra) the reference is to the State of Punjab, the same be read as the State of Haryana".

3. The operative part of Order of referred Judgment dated **27.11.2024** in **CWP-9426-2023-Shila Devi and others vs. State of Punjab and others**, as mentioned in judgment dated 19.12.2024 in CWP No. 15098 of 2024, Ram Niwas Rohilla and other Vs State of Haryana and others, reads as under:-

Para-31. "Keeping in view facts and circumstances as narrated and discussed in foregoing paras, all the 808 writ petitions are dismissed with no order as to cost. **It is clarified that the State is entitled to effect recoveries which were stayed by way of interim orders in the writ petitions. Such recovery however be made in a staggered manner to obviate any hardship to the pensioners**".

4. In view of above orders of Hon'ble Punjab and Haryana High Court to effect the recovery of Commuted Value of Pension, you are requested to kindly issue necessary directions to the officers concerned alongwith Pension Disbursing Banks to resume/revive the recovery of Commuted Value of Pension immediately, which was earlier stopped in compliance of Stay Orders of Hon'ble Punjab and Haryana High Court.

5. Further, the recovery of Commuted Value of Pension for intervening period from May 2024 to upto date, (as the case may be) may also be made from the pensioners in equal installment every month alongwith regular recovery of Commuted Value of Pension.


Chief Accounts Officer (Pension)

for Additional Chief Secretary to Government Haryana,
Finance Department

Endst No.:1/15/2024-1-Pension(FD)

Dated: 24.12.2024

A copy is forwarded to the following for information and necessary action
to:-

1. The Chief Secretary to Government Haryana, Chandigarh
2. All Administrative Secretaries to Government Haryana
3. The Registrar General, Punjab & Haryana High Court, Chandigarh


Chief Accounts Officer (Pension)

for Additional Chief Secretary to Government Haryana,
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Endst No.:1/15/2024-1-Pension(FD)

Dated: 24.12.2024

A copy is forwarded to the following for information and necessary action
to:-

1. Member Secretary, Haryana Bureau of Public Enterprises, Chandigarh.
2. In-Charge, Computer Cell, Finance Department for placing the instructions on the website of Finance Department's i.e. www.finhry.gov.in.


Chief Accounts Officer (Pension)

for Additional Chief Secretary to Government Haryana,
Finance Department