



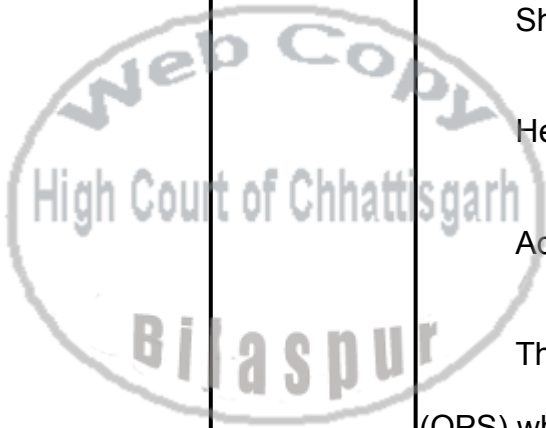
HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 3092 of 2023

Nakul Ram Nag **Versus** State Of Chhattisgarh & Ors.

11/05/2023	<p>Shri Anup Majumdar, Counsel for the Petitioner.</p> <p>Shri Jitendra Pali, Dy. A.G. for the State.</p> <p>Shri Ramakant Mishra, DSG for Union Of India.</p> <p>Heard.</p> <p>Admit.</p> <p>The challenge is to the applicability of the Old Pension Scheme (OPS) which is again set into motion on 11.05.2022.</p> <p>Learned counsel for the petitioner submits that he has been directed to furnish 'option form' whether he wants to opt for OPS which was prevailing as per Pension Rules of 1976 or NPS which came into being from 01.04.2004. He further submits that there has been an amendment in OPS dated 20.01.2023 which states that to opt for OPS, he has to deposit the share of government deposited with the N.S.D.L. for the interregnum period which has caused the difficulty. He further submits that the petitioner cannot be forced to give the option.</p> <p>Considering the issue raised, learned counsel for the</p>





respondents are directed to file reply.

Taking into such matter, it is observed that applicability of the pension scheme whether OPS or NPS would be applicable to the petitioner would be subject to final adjudication of this petition.

List the case after four weeks.

**Sd/-
(Goutam Bhaduri)
Judge**

**Sd/-
(Sanjay Kumar Jaiswal)
Judge**

Jyoti

