

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

**CWP No.24447 of 2017**

**Date of Decision : 06.04.2018**

Union of India and another

....Petitioners

Versus

Hardial Singh and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER  
HON'BLE MR.JUSTICE RAJBIR SEHRAWAT

Present: Mr.Praveen Chander Goyal, Sr.Panel Counsel  
for the petitioners.

**MAHESH GROVER, J.** (Oral)

The petitioners are impugning the order of the Central  
Administrative Tribunal dated 03.03.2017.

It is their contention that stepping up and allowances  
which are admissible to the private respondents could not form a part  
of the pay to be counted for the purpose of pension.

After hearing the learned counsel for the petitioners and  
perusing the impugned order, we are of the opinion that the argument  
advanced by the learned counsel for the petitioners does not stand the  
scrutiny of logic for the simple reason that the pay and allowances  
referred to by the petitioners were indeed a measure of stepping up of  
pay to correct the anomaly which existed resulting in the juniors  
getting more pay than the seniors. Once this anomaly was corrected  
by stepping up of pay, it would naturally become the inherent part of  
the pay structure admissible to such employees. If the argument of the  
petitioners is accepted then withdrawal of these benefits would result

in the reversion of the anomaly which could never have been the intent. We thus do not find any reason to interfere.

Dismissed.

(MAHESH GROVER)  
JUDGE

06.04.2018  
dss

(RAJBIR SEHRAWAT)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |