

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

219

CWP-5901-2018 (O&M)  
Date of Decision: 24.04.2024

Vinod Kumar ...Petitioner

Versus

State of Punjab and others ...Respondents

CWP-11238-2020 (O&M)

Manjit Singh Sahi and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CWP-24122-2022 (O&M)

Jasbir Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

CWP-26272-2022 (O&M)

Ashok Sood ...Petitioner

Versus

State of Punjab and others ...Respondents

CWP-29593-2022 (O&M)

Balwinder Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

\*\*\*\*\*

Present:- Mr. Amrik Singh, Advocate for the petitioners.

Mr. Swapan Shorey, DAG Punjab

\*\*\*\*\*

**AMAN CHAUDHARY, J. (Oral)**

1. These cases involve similar issues and therefore, are being disposed of together by this common judgment.
2. The prayer in the present petitions is for directing the respondents to re-fix the pension of the petitioners and to pay the arrears alongwith interest @ 18% per annum.
3. Learned counsel submits that the petitioners who were working as Junior/ Assistant Engineers, had retired between 01.01.2006 to 01.12.2011, from which dates anomalies in the pay scales were created vide notification dated 27.05.2009 and subsequently removed vide circular dated 01.12.2011, respectively. However, their pension, to be calculated on the basis of last pay drawn at the time of their retirement, as per Instructions dated 17.08.2009, was fixed lower than their juniors, who got the benefits of revised pay scale admissible with effect from 01.12.2011, which was not extended to them. Reliance is placed on **A.P. Sharma and others vs. State of Punjab** and others, CWP-25733-2012, decided on 22.01.2013, against which the LPA as well as SLP were dismissed on 31.08.2016 and 04.05.2017 respectively. He thus, on instructions, prays that a direction be given to the respondents to decide the claim of the petitioners, keeping in view the aforesaid instructions, in a time bound manner by granting them an opportunity of hearing.
4. Learned State counsel has no objection to the limited prayer made.
5. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents to consider and decide the claim of the petitioners in light of the afore-referred judgment, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the

benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon.

6. A photocopy of this order be placed on the files of connected cases.

April 24, 2024  
*Raman*

(AMAN CHAUDHARY)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No