

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

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CWP-7695-2023

Date of Decision : November 11, 2025

BHAGWAN DASS (SINCE DECEASED) THROUGH HIS LRs

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Arjun Dev, Advocate, and
Mr. Akshit Pathania, Advocate, for
Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

Mr. Pranav Chadha, Advocate
for the respondents No.4, 6 and 7.

KULDEEP TIWARI, J. (ORAL)

1. The prayer enclosed in the present writ petition is for issuance of directions to the respondents to release the arrears along with interest @ 12% per annum from the due date till the date of final payment, as admissible to the petitioner in light of the speaking order dated 30.09.2021 (Annexure P3).

2. This writ petition represents the second round of litigation. The petitioner had earlier approached this Court by filing CWP-9993-2021, which was disposed of vide order dated 28.06.2021, with a direction to the official respondents to consider and decide the petitioner's claim by passing a speaking order. In compliance with the said directions, the Chief Engineer/Headquarters & Dispute Resolution, Water Resources Department, Punjab, Chandigarh, passed a speaking order dated 30.09.2021 (Annexure

P3). Pursuant thereto, the Chief Engineer addressed a communication dated 10.01.2022 to the Accountant General, Punjab, Chandigarh, requesting release of the admissible benefits to the petitioner in view of the speaking order. The relevant extract of the letter dated 10.01.2022 is reproduced hereunder:-

“With reference to the letter referred to above, it is submitted that Sh. Bhagwan Dass, Senior Assistant retired from service on 31.03.2015 after availing 02 years extension in service. The Civil Writ Petition No. 9993 of 2021 filed by the retiree before Hon’ble Punjab and Haryana High Court, as per the order dated 28.06.2021 (copy enclosed) it has been decided to give deem date as per the Speaking Order (copy attached) and upon passing the speaking order, his pay has been refixed. Therefore, with the increase of pay of the employee, his pension has also to be increased.

Therefore, the pension case (certified copy) alongwith Service Book of the retiree in original is being sent for further necessary action.”

3. Learned State counsel, referring to the reply dated 14.02.2024, submits that necessary directions have already been issued to the District Treasury Officer to release all admissible benefits to the petitioner in accordance with the speaking order. It is further submitted that the petitioner is required to visit the office of the District Treasury Officer for release of his admissible dues. The relevant paragraphs of the reply are reproduced hereunder:-

“8. That the pension case of the petitioner was approved by office of Accountant General, Punjab vide their letter dated 17.02.2022 which was received in the office of answering respondents on 02.03.2022. The copy of approval of revised pension case is attached as Annexure R-1. In compliance of the approval of revised pension case, non-payment certificate (NDC) has also been issued to the District Treasury Officer, Gurdaspur vide office letter no. 1308-11/3 dated 11.03.2022. The copy of same is attached as Annexure R-2.

9. That the petitioner was required to report in the office of District Treasury Officer for receiving payment and other formalities which the petitioner never did. The petitioner never approached the District Treasury Office for disbursement of payment and hence, payment of revised retiral benefits have been delayed due to own fault of the petitioner.

10. That as the revised pension case has been approved by AG Punjab, now all the arrears of pension up-to till date and revised pension is to be disbursed to the petitioner by the District Treasury Office as Pension Disbursing Authority in coordination with Pension Disbursing Bank subject that he has to appear in the treasury office in person for release of his dues. There is no role of the answering respondent's department in disbursement of the revised retiral dues now.”

4. In view of the categorical stand taken by the State of Punjab, and particularly as the District Treasury Officer has already been directed to release all admissible benefits to the petitioner in terms of the speaking order, no further directions are called for from this Court. The petitioner shall be at liberty to approach the District Treasury Officer for release of all admissible dues in accordance with the speaking order. In case, the petitioner has any grievance regarding the quantum or inadequacy of the amount released, he shall be at liberty to raise such grievance by moving an appropriate application before the competent authority/department. However, it is clarified that such liberty shall not entitle the petitioner to re-agitate or re-open issues which already stand concluded in the earlier writ petition.

5. The writ petition stands **disposed of** accordingly.

November 11, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No