



CWP-8563-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-8563-2023

Date of Decision:28.11.2025

JARNAIL SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. R.S. Sidhu, Advocate
for the petitioner.

Mr. Vikas Arora, DAG, Punjab.

Mr. Amrit S. Kang, Advocate
for respondents No.2 to 4.

HARPREET SINGH BRAR, J. (ORAL)

1. The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to re-fix the pay/pension of the petitioner at par with his junior, Akshay Moudgill along with all consequential benefits.

2. Learned counsel for the petitioner submits that the pay anomaly is required to be corrected in terms of Notes 6 and 7 of the Regulations implemented vide Finance Circular No.12/2021 dated 17.11.2021. The pay of the petitioner is required to be stepped up at par with that of his junior, Akshay Moudgill.

3. Learned counsel for respondents No.2 to 4-Corporation has

on record. He submits that the pay of the petitioner has been stepped up in terms of Finance Circular No.12/2021 dated 17.11.2021 issued by the Finance Department (Annexure P-5) w.e.f. 01.04.2017 and his pay has been stepped up at par with that of his junior, Akshay Moudgill. He further submits that in terms of Rule.6.24 of the Punjab Civil Services Rules, Volume-II, the stepped-up pay would also be considered as having been drawn for the purpose of pension and that the benefit of arrears on account of re-fixation of pay and pension has been restricted to a period of three years.

4. Learned State counsel submits that restricting the admissible benefits to three years is justified in terms of the judgement rendered by the Hon'ble Apex Court in *M.R. Gupta vs. Union of India and others 1995 (5) SCC 628* and by the Full Bench of this Court in *Saroj Kumari vs. State of Punjab and others 1998 (3) SCT 664*.

5. Learned counsel for the petitioner submits that the petitioner would be satisfied in case the present petition is disposed of in view of the order passed on 10.10.2024 and the respondent-Corporation is directed to pay the arrears within a period of three months.

6. In the wake of the respective stands taken by the parties, the present petition is disposed of with a direction to the respondent-Corporation to release the arrears in terms of the order dated 10.10.2024 passed vide office order No. 284, within a period of three months from the date of receipt of a certified copy of this order.

(HARPREET SINGH BRAR)

JUDGE

28.11.2025

P.Bhatt

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