



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

**LPA-1658-2025 (O&M)
Date of decision: 18.11.2025**

Sarva Haryana Gramin Bank

...Appellant

Vs.

Satish Kumar and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Anurag Jain, Advocate
Mr. Anmol Singh, Advocate
for the appellant.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This appeal arises out of an order passed by learned Single Judge dated 19.03.2025, whereby, the writ petition filed by the respondent has been allowed. The writ petition was filed while the respondent was in service. Challenge was laid to the charge-sheet dated 13.11.2023 as well as punishment order dated 15.04.2024, which was affirmed with dismissal of appeal on 21.08.2024.

2. The punishment imposed upon the respondent was reduction in salary for a period of nine months without any cumulative effect. The punishment order, insofar as salary has been reduced for the period of punishment, has not been interfered. Learned Single Judge, however, has observed that for the purposes of determination of pension, the reduced salary would not be taken into consideration during the last ten months or else, the punishment which has ceased to exist would be extended till the entire length of period during which the respondent would receive pension.

3. Learned counsel for the Bank contends that there was no specific challenge to Regulations 26 & 36 of Sarva Haryana Gramin Bank (Employees')



Pension Regulations, 2018 (hereinafter referred to as 'Regulations 26 & 36'), which provided that the last ten months' salary would be factored in for determining the pension. It is also argued that if the interpretation of the learned Single Judge is allowed to stand, it would result in virtually modifying the Regulations without there being any challenge to it. It is also the case of the Bank that the Court has allowed relief far in excess of what was prayed for in the writ petition.

4. We have noticed all the submissions advanced on behalf of the Bank only to be rejected. The undisputed facts of the case are that the punishment order dated 15.04.2024, categorically provided that the reduction in salary would be for a limited period of nine months. Once, the period of nine months comes to an end, the salary will have to be revived to its original level. Learned Single Judge has not interfered with the order, whereby, salary is reduced for a period of nine months. What has been held by the learned Single Judge is that for the purpose of pension, reduced salary will not be taken into consideration. This would not require any amendment in the Regulation nor any challenge to the Regulation would be called for, inasmuch as, the Regulation which provides for last ten months' salary to be taken into consideration for fixing the pension is not in dispute. The Regulation does not take note of exigency where the punishment of reduced salary for nine months would be stretched for the indefinite length of pensionable period, if the pension is calculated on the reduced salary. This is not the intent of the Regulation. Learned Single Judge, therefore, is right in observing that notwithstanding Regulations 26 & 36 not being challenged, the provisions will have to be interpreted in such a way that the punishment of reduction in salary



by nine months is not allowed to continue beyond the period of nine months. The entitlement to receive pension is on the strength of salary to be received by employee during the last ten months. The twin concerns, which arise in the facts of the case, will have to be addressed in such a way that a reasonable interpretation is given to the relevant clauses of the service regulations consistent with the mandate of Article 14 of the Constitution of India. While punishment order reduces the salary for a period of nine months, the determination of pension cannot be on the reduced salary as such construction would extend the period of punishment beyond a period of nine months. This is neither the punishment nor such construction can be allowed to exist. We, therefore, reject the argument of the appellant's counsel that the interpretation followed by the learned Single Judge runs counter to the statutory rule.

5. So far as the grant of relief to the respondent is concerned, in view of the fact that the retirement of the respondent was to take place on 31.05.2025, the learned Single Judge has appropriately modified the relief to suit the circumstances. We find no error in the judgment of the learned Single Judge which may persuade us to interfere in this matter.

6. The appeal is accordingly **dismissed**.

7. All the pending miscellaneous applications, if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

18.11.2025

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Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

No
No