



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

CWP-22240-2017

Date of Decision: 28.07.2025

Kuldeep Singh

...Petitioner

Vs.

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. H.S. Dhindsa, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 31.03.2016 whereby his pension has been reduced.
2. The petitioner retired at the age of 60 years. His age of superannuation was 58 years, however, he was granted 02 years' extension. The respondent fixed his pension considering 02 years' service beyond the age of superannuation. This resulted in wrong calculation of pension and other benefits. The respondent realizing its mistake corrected amount of pension as well as ordered recovery of already made excess payment.
3. Mr. Aman Dhir, DAG, Punjab produced short reply of Senior Deputy Accountant General. (Pension) on behalf of respondent No.4, which is taken on record.

4. Mr. Aman Dhir, DAG, Punjab submits that as per instructions of 2018, pension of the petitioner was again revised, thus, he has gained some benefit.

5. Mr. H.S. Dhindsa, Advocate expressed his inability to controvert that petitioner was granted extension of 02 years and petitioner's pension was calculated as per extended period of service.

6. I have heard learned counsel for the parties and perused the record with their able assistance.

7. The petitioner was supposed to retire at the age of 58 years, however, he was granted extension of 02 years. The petitioner's pension was quantified considering extended service. This resulted in calculation of higher amount of pension. The respondent in view of the instructions dated 06.09.2016 has granted partial relief to the petitioner. Paragraph 4 of the reply reads as:

“4. That Government of Punjab, Department of Finance notification No. 22/8/2016-3FP2/305 dated 06.09.2016 issued clarification that the retiree who was already on extension of service prior to 30.10.2015 and retired thereafter, his/her period of extension in service will be counted towards qualifying service upto 31.10.2015. The respondent No.3 i.e. Pension Sanctioning Authority of the petitioner resubmitted the revised pension case of the petitioner accordingly vide No. 1990 dated 22.01.2018 and the office of answering respondent authorized revised authority for Certificate and Report and change in rate of pension vide communication dated 08.02.2018 as per sanction/recommendation of Pension Sanctioning Authority of the petitioner i.e. respondent No.3. No suo motu action has been taken by the office of answering respondent.”

8. This Court in the wake of aforesaid facts and submissions of both sides find it appropriate to direct that no further recovery with respect to excess payment shall be made and petitioner would be released pension as per instructions dated 06.09.2016. If the petitioner points out that he is entitled to pension as per instructions of 2016 more than determined prior to said date, the respondent shall redetermine pension of the petitioner within 06 months from the date of filing calculation.

9. *Disposed of.*

(JAGMOHAN BANSAL)
JUDGE

28.07.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No