



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

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CWP-19523-2025

Date of Decision: 02.09.2025

UNION OF INDIA AND ORS

...Petitioners

Versus

KRISHAN SINGH AND ANR

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Ms. Promila Nain, Senior Panel Counsel with
Ms. Kanchan Kumari, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. In the present petition, the challenge is to the impugned order dated 23.03.2023 (Annexure P-1) passed by respondent No. 2-Armed Forces Tribunal, Regional Bench, Chandigarh, (hereinafter referred to as 'Tribunal') by which, the benefit of the judgment of this Court in CWP-15400-2006, titled as *Jai Narayan Jakhar vs. UOI and another*, decided on 14.01.2008, has been ordered to be granted to respondent No.1 so as to treat that the benefit of revised pension w.e.f. 01.01.1996 instead from 10.10.1997 which was the date fixed by the constituted Committee for removal of the anomalies in the pay-scale of various groups, which was done.

2. Learned counsel for the petitioners argues that once the benefit of revised pension has been decided by the Committee to be given from 10.10.1997, the order of Tribunal directing that the same should be given effect from 01.10.1996 so as to benefit respondent No.1 is incorrect especially when the claim for the revised pension in accordance to 5th Pay Commission has been made after an inordinate delay.



3. We have heard Learned counsel for the petitioners and have gone through the case file with her able assistance.

4. It may be noticed that while revision of the pay-scale was done by the 5th Central Pay Commission and the same was given effect from 01.01.1996 after which, anomalies arising from implementation of revised pay-scale w.e.f. 01.01.1996 were noticed by the Pay Commission, which anomalies were removed by the Committee, and pay-scale of various groups was fixed as per para 6 (d) of Appendix 'A' to SAI 1/S/97 making trade rationalization on 10.10.1997.

5. After the removal of the anomalies, the benefit of the revised pay-scale was only to be given from 10.10.1997 instead of 01.01.1996, which decision of the Committee was challenged before this Court in CWP-15400-2006, titled as ***Jai Narayan Jakhar vs. UOI and another***, decided on 14.01.2008, wherein it has been held that once the anomaly that existed has been removed, the pay-scale granted which has been given effect from 10.10.1997 should be made applicable from the earlier decided date i.e. 01.01.1996. Said judgment has attained finality upto the Hon'ble Supreme Court of India.

6. In the present case also, the claim of respondent No.1 is that as he had already been discharged from service on 31.12.1993, the benefit of revised pension which has been given to him on the basis of revised pay-scale from 10.10.1997, the same should be given effect from 01.01.1996 instead of 10.10.1997. The said issue has already been finalized upto the



Hon'ble Supreme Court of India as the judgment in ***Jai Narayan Jakhar's*** case (supra) as the same has already been upheld.

5. Once, after the anomaly detected while revising the pay-scale has been removed by the constituted Committee, the non-grant of entitled pension to employee concerned under the revised pay-scale which was later effected from 10.10.1997 and the same was directed to be effected by the Court while deciding the ***Jai Narayan Jakhar's*** case (supra) w.e.f. 01.10.1996 that was the date for effecting the revision of pay-scale in accordance to recommendation of 5th Pay Commission, the grant of benefit of revision of his pension in pay-scale to respondent No.1, his pension has to be accordingly fixed in accordance with the revised pay-scale from 01.01.1996 instead of 10.10.1997 is in term of the judgment in ***Jai Narayan Jakhar's*** case (supra), which issue has already attained finality upto the Hon'ble Supreme Court of India.

6. No other argument has been raised.

7. Hence, in the absence of any perversity being pointed out in the impugned order dated 23.03.2023 (Annexure P-1) either on the basis of the facts or the settled principle of law, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

8. Accordingly, the writ petition is dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

September 02, 2025
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Whether speaking/reasoned	Yes
Whether reportable	No