

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

2025:PHHC:167692-DB



CWP No. 22752 of 2019 (O&M)
Date of decision: 2nd December, 2025

Pawan Kumar Dogra

..Petitioner

Versus

Union of India and others

..Respondents

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

Present: Mr. M.K. Dogra, Advocate for the petitioner.

Mr. Arvind Moudgil, Sr. Advocate
(Through V.C.) with
Mr. Tajeshwar Sullar, Central Govt. Counsel for UOI and
Mr. Shubham Thakur, Advocate for respondents.

HARSIMRAN SINGH SETHI, J(Oral)

1. In the present petition, the challenge is to the order dated 11.04.2019 (Annexure P-1) passed by Central Administrative Tribunal, Chandigarh bench, Chandigarh, (for short 'the Tribunal') by which that the benefit has been granted for stepping up the pay at par with his junior but the same has been granted on notional basis and actual benefit has been granted from the date of the judgment.

2. Learned counsel for the petitioner submits that once the anomaly was there, the benefit should have been granted from the year 2005 onwards when the discrepancy occurred and therefore declining of actual benefit, is incorrect and the order passed by the Tribunal dated 11.04.2019 be modified so as to grant actual benefit upon stepping up of the pay of the petitioner.

3. Learned Senior counsel appearing on behalf of the respondents submits that the claim is being raised from the year 2005 where as actually the original application was filed in the year 2017. Even in the said original application, the first order passed for rejecting the claim was on 13.08.2013 but keeping in view the fact that the juniors were granted the higher pay scale, the benefit was extended though notionally which has already accepted and implemented by the respondents.

4. We have heard learned counsel for the parties and have gone the record with their able assistance.

5. It may be noticed that under Section 21 of the Administrative Tribunal Act, there is a limitation of 1 year as provided for approaching the Court for redressal of grievance from the date of cause of action arose. The cause of action arose even according to the petitioner is in the year 2012 when the pay was revised retrospectively. The claim raised by the petitioner was rejected by respondent on 13.08.2013, hence, under Section 21 of the Act, the same could have been challenged only upto August, 2014 whereas original application was filed in the year 2017. That being so, while granting the benefit of stepping of the pay, the same has been done on notional basis.

6. Once, the original application was filed after a delay, the Court was very much competent to mold the relief so as to equate the balance between the parties so that none suffer much prejudice.

7. Keeping in view the totality of circumstances, the grant of notional benefit to the petitioner cannot be treated as arbitrarily or illegal in the facts and circumstances of the present case.

- 8. Dismissed.
- 9. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

2nd December, 2025
reema

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No