



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107

CWP-19161-2025 (O&M)
Decided on :06.08.2025

UNION OF INDIA AND OTHERS

. .Petitioners

Versus

No. JC 99775 Ex. RISALDAR JANG SINGH DHANUA AND ANR

. . . Respondents

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

PRESENT: Mr. Arihant Goyal, Senior Panel Counsel,
for the petitioner-Union of India.

Mr. Rajesh Sehgal, Advocate and
Mr. Navdeep Singh, Advocate for respondent No. 1.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the challenge is to the impugned order dated 20.03.2023 (Annexure P-1) passed by respondent No. 2-Armed Forces Tribunal, Regional Bench, Chandigarh, by which, the claim of the respondent No. 1 to revise his pension w.e.f. 01.01.1996 to 10.10.1997 has been allowed in terms of the order passed by this Court in **CWP No. 15400 of 2006 titled as Jai Narayan Jakhar versus Union of India, decided on 14.01.2008** , which judgment has been upheld by Hon'ble Apex Court.

2. Learned counsel for the petitioner submits that the judgment passed in **Jai Narayan Jakhar's case (supra)** is not applicable in the present case, hence, the impugned order dated 20.03.2023 (Annexure P-1) is



liable to be set-aside.

3. On being forced to point out any differentiating facts between the Jai Narayan Jakhar's case (supra) and the case of respondent No.1, learned counsel for the petitioner submits that the date of retirement of respondent No. 1 and Jai Narayan Jakhar is different.

4. On being asked as to whether, once, a particular benefit of revision of pay- scale was made admissible from 01.01.1996 and the same is to be made applicable upon the retiree for fixing his/her pension w.e.f. 1.1.1996, the date of retirement will not make any difference. Learned counsel for the petitioner has not been able to point out as to how, the different date of retirement of a retiree will make the difference in the facts and circumstances of the present case, especially when respondent No. 1 was entitled for fixing his pension keeping in view the revised pay-scale granted w.e.f. 01.01.1996.

5. Rather, the claim of respondent No. 1 is to be considered for fixing his pension as on 0.1.0.1.1996, keeping in view the revised pay- scale which has been made admissible with retrospective effect i.e. 1.1.1996, as per revision granted in October, 1997, qua the admissible pay-scale by removing the anomalies.

6. Keeping in view the totality of facts and circumstances of the present case and as learned counsel of the petitioner has not been able to show to this Court that how, merely the different date of retirement will not entitle the respondent No.1 for the grant of benefit as admissible to him qua revised pension on the basis of pay-scale which were made effective from 01.01.1996 after removing the anomalies in October, 1997 in view of the judgment passed in Jai Narayan Jakhar's case (supra) no ground is made out for any interference by this Court in the facts and circumstances of the



CWP-19161-2025 (O&M)

-3-

present case.

7. Accordingly, the writ petition is dismissed.
8. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

06.08.2025

Riya

Whether speaking/reasoned: *Yes/~~No~~*

Whether Reportable: *~~Yes~~/No*