



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

114

CM-18643-CWP-2025 in/and  
CWP-34647-2025 (O&M)  
Decided on : 11.12.2025

UNION OF INDIA AND OTHERS

...Petitioner

Versus

KAMLESH SETHI AND ANOTHER

. . . Respondents

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

PRESENT: Ms. Shalini Atri, Senior Panel Counsel  
for the petitioners.

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**HARSIMRAN SINGH SETHI , J. (Oral)**

**CM-18643-CWP-2025**

The prayer in the present application is for placing on record the Rules on the basis of which the judgment dated 24.10.2024 (Annexure P-3) passed by respondent No. 2-Central Administrative Tribunal, Chandigarh as Annexure P-6 and exemption from filing the certified/true typed copy of the same.

Keeping in view the averments mentioned in the application, the same is allowed. Copy of Rules (Annexure P-6) is taken on record subject to all just exceptions.

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1. In the present petition, the challenge is to the impugned order



dated 24.10.2024 (Annexure P-3) passed by respondent No. 2-Central Administrative Tribunal, Chandigarh (hereinafter referred to as 'the Tribunal') by which, direction has been issued to the petitioners to grant respondent No. 1, the benefit of grade pay of Rs. 5400/- w.e.f. 03.07.2014, on which date, respondent No. 1 had completed four years of service in a grade pay of Rs. 4800/-, alongwith arrears.

2. Learned counsel for the petitioners submits that the grant of benefit of grade pay of Rs. 5400/- from 03.07.2014 to respondent No. 1 is incorrect as the grant of said benefit has not been supported by any rules governing in the service.

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

4. The petitioners have placed on record the resolution dated 29.08.2008 passed by the Government of India with regard to acceptance of the recommendation of pay commission with regard to the admissibility of a particular grade pay granted to the officer concerned in Group 'B'.

5. As per the recommendation of the Sixth Pay Commission Commission which recommendation has been duly accepted by the department while notifying the The Central Civil Service (Revised Pay) Rules, 2008, the following has been notified:-

*“Group ‘B’ officers of Departments of Posts, Revenue, etc. Will be granted Grade Pay of Rs. 5400/- in PB-2 on Non-functional basis after 4 years of regular service in the grade pay of Rs. 4800/- in PB-2.”*



6. A bare perusal of the above reproduction would show that when a Group 'B' officer who has been working in a grade pay of 4800/- and has discharged the duties in the said grade pay for a period of four years, he/she become entitled for the benefit of grade pay of Rs. 5400/-

7. The impugned order passed by the Tribunal in the facts and circumstances of the present case is also the same. It may be noticed that the respondent No. 1 was given the pay band of Rs. 9,300/—34,800/- with the grade pay of Rs. 4800/- with effect from 03.07.2010. On completion of period of four years in service, the benefit of grade pay of Rs. 5400/- has been awarded by the Tribunal to respondent No. 1, which is in-consonance with the notification issued by the petitioners themselves, which fact has not been rebutted by the learned counsel for the petitioner.

8. Once, the findings recorded by the Tribunal in the impugned order with regard to the claim of the respondent No. 1 for entitlement of the grade pay of Rs. 5400/- on completion of four years of service rendered by him in the grade pay of Rs. 4800/- is not disputed/rebutted, it cannot be said that the order passed by the Tribunal is perverse either on facts or on law. .

9. Further, the issue decided by the Tribunal in favour of the respondent No. 1 is based upon the decision of Central Administrative Tribunal in **OA No. 721 of 2021 titles as 'Hari Mohan and others versus UOI and others'** in which the issue raised was also identical wherein the benefit of said grade pay was already extended to such applicant, namely, Hari Mohan. Even the said fact has also gone unrebutted at the hands of the learned counsel for the petitioners.



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10. No other argument has been raised.
11. Hence, in the absence of any perversity being pointed out in the impugned order dated 24.10.2024 (Annexure P-3) either on the basis of the facts on record 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 and the writ petition is accordingly dismissed.
12. Pending application(s), if any, stands disposed of.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**( VIKAS SURI )**  
**JUDGE**

**11.12.2025**

*Riya*

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

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