Serial No. 78
Supplementary Cause List

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

(Through Virtual Mode)

WP(C) No. 3448/2026

UT Of J And K Th Secretary Youth Services And Sports Department Jammu **…Appellant/Petitioner(s)**

Through: Mr. Eishaan Dadhichi, Advocate.

Vs.

Balwinder Singh And Ors **...Respondent(s)**

Through:

CORAM:
HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

ORDER
31.10.2026

1. Impugned in this petition filed by the Union Territory of Jammu and Kashmir under Article 226 of the Constitution of India is the judgment and order dated 4th February 2026 passed by the Central Administrative Tribunal, Jammu [("the Tribunal")] in O.A. No. 222 of 2020, titled *Parvinder Singh & Ors. v. Union Territory of Jammu and Kashmir & Ors.*, whereby the Tribunal, while allowing the original application, held the respondents entitled to the benefit of the old pension rules in force prior to the issuance of SRO 400 dated 24th December 2009, along with all consequential benefits.
2. The petitioner challenges the impugned judgment primarily on the ground that the respondents, having joined service

after 1st January 2010, are governed by the Defined Contributory Pension Scheme (New Pension Scheme) notified vide SRO 400 dated 24th December 2009, and therefore the direction of the Tribunal extending the benefit of the old pension rules was erroneous and legally unsustainable.

3. During the course of hearing, it was brought to the notice of this Court that the petitioners have since resolved the issue administratively by issuing Government Order No. 305-F of 2026 dated 28th September 2026, wherein government employees appointed against vacancies advertised or notified prior to the issuance of SRO 400 of 2009, but who joined on or after 1st January 2010, have been extended a one-time option to switch to the Defined Pension Scheme (the Old Pension Scheme), subject to the terms and timelines prescribed therein.

4. In view of this subsequent development, nothing further survives for adjudication on merits; however, the order of the Tribunal warrants a slight modification to clarify that the respondents' entitlement to the old pension rules shall be contingent upon exercising their option and completing the requisite formalities within the timeframe and manner set out in the Government Order dated 28th September 2026.

5. Accordingly, the writ petition is disposed of with the modification that the petitioners shall extend the benefit of the old pension rules to the respondents as were in existence

prior to issuance of SRO 400 of 2009, subject to the respondents strictly complying with the terms, conditions, and procedural requirements stipulated in Government Order No. 305-F of 2026 dated 28th September 2026.

6. ***Disposed of*** as above.

(M A CHOWDHARY)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR
31.10.2026
"Shaista-PS"

HIGH COURT
JAMMU & KASHMIR AND LADAKH