104+253 (31 cases)

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Date of decision: 29.01.2026

1. **CWP-19245-2025**

NIRMAL SINGH DHANONA AND OTHERS ....Petitioners

Versus

STATE OF PUNJAB AND OTHERS ….Respondents

2. **CWP-2830-2024 (O&M)**

DAYA KRISHAN AND OTHERS ....Petitioners

Versus

STATE OF PUNJAB AND OTHERS ....Respondents

3. **CWP-1126-2023**

MEGH NATH AND ORS. ....Petitioners

Versus

STATE OF PUNJAB AND OTHERS ....Respondents

4. **CWP-12885-2023**

DHANWANT SINGH AND ORS ....Petitioners

Versus

PUNJAB STATE POWER CORPORATION LIMITED AND ORS ....Respondents

5. **CWP-16457-2023**

SHANGARA SINGH AND ORS ....Petitioners

Versus

STATE OF PUNJAB AND ANR ....Respondents

6. **CWP-15560-2025**

ROORH SINGH AND OTHERS ....Petitioners

Versus

PUNJAB STATE POWER CORPORATION LIMITED AND OTHERS ....Respondents

7. **CWP-20089-2024**

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KARAMJIT SINGH AND OTHERS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

8. CWP-23522-2024

KARNAIL SINGH AND ORS ....Petitioners
Versus
STATE OF PUNJAB AND ORS ....Respondents

9. CWP-24555-2023

BHAJAN SINGH AND OTHERS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

10. CWP-25656-2024

MAJER SINGH AND OTHERS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

11. CWP-27900-2024

GURCHARAN SINGH BOLA AND ORS ....Petitioners
Versus
GURCHARAN SINGH BOLA AND OTHERS ....Respondents

12. CWP-28904-2024

SUKHDEV SINGH AND OTHERS ....Petitioners
Versus
STATE OF PUNJAB AND ANOTHER ....Respondents

13. CWP-33549-2024

PREM SINGH AND ORS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

14. CWP-5200-2025

BHAGWAN SINGH AND OTHER ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

15. CWP-6402-2025

ANUP GAUTAM AND OTNERS ....Petitioners
Versus

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STATE OF PUNJAB AND OTHERS ....Respondents

16. CWP-8850-2024

BIKRAM JIT BANSAL AND ORS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

17. CWP-10178-2024

HARBHAJAN SINGH AND OTHERS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

18. CWP-12297-2024

SHAM SUNDER AND ORS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

19. CWP-15357-2024

AMAR SINGH AND ORS ....Petitioners
Versus
STATE OF PUNJAB AND ORS ....Respondents

20. CWP-15373-2024

AMARJIT SINGH AND ORS ....Petitioners
Versus
STATE OF PUNJAB AND ORS ....Respondents

21. CWP-17181-2024

MOHAN LAL KARKRA AND ORS ....Petitioners
Versus
STATE OF PUNJAB AND ORS ....Respondents

22. CWP-23929-2024

SURJIT SINGH AND ORS ....Petitioners
Versus
STATE OF PUNJAB AND ORS ....Respondents

23. CWP-25668-2024

DEEPAK SAINI AND ORS. ....Petitioners
Versus
STATE OF PUNJAB AND ORS. ....Respondents

24. CWP-26131-2024

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KRISHAN LAL GOYAL AND OTHERS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

25. CWP-17975-2025

BALWINDER SINGH AND OTHERS ....Petitioners
Versus
THE PUNJAB STATE POWER CORPORATION AND OTHERS ....Respondents

26. CWP-23204-2025

AMARJIT GOEL AND OTHERS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

27. CWP-25498-2025

SURESH SETHI AND ORS ....Petitioners
Versus
PUNJAB STATE POWER CORPORATION AND ORS ....Respondents

28. CWP-2927-2025

LOKESH CHANDER AND OTHERS ....Petitioners
Versus
STATE OF PUNJAB AND OTHERS ....Respondents

29. CWP-31160-2025

JASWINDER SINGH AND OTHERS ....Petitioners
Versus
PRINCIPAL SECRETARY TO GOVERNMENT OF PUNJAB DEPARTMENT OF FINANCE ....Respondents

30. CWP-38116-2025

SURINDER PAUL BIRAMPUR ....Petitioners
Versus
PRINCIPAL SECRETARY TO GOVERNMENT OF PUNJAB DEPARTMENT OF FINANCE ....Respondents

31. CWP-33423-2025

MANOHAR LAL SONI AND OTHERS ....Petitioners
Versus

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STATE OF PUNJAB AND OTHERS **....Respondents**

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Subhash Kumar, Advocate for petitioners
in CWP-17975-2025 and 25498-2025.

Mr. Sunny Singla and Ms. Riti Aggarwal, Advocates for
petitioner(s) in CWP-19245, 12297, 15357, 15373, 17181,
20089, 24555, 28904, 8850, 23522 and 26131 of 2024, 5200,
23204, 31160, 38116 of 2025, 1126, 12885, 16457 of 2023.

Mr. Nitesh Singla, Advocate
for the petitioners in CWP-27900-2024,
CWP-6402-2025, CWP-23929-2024 and CWP-25668-2024.

Mr. Raman Kumar, Advocate and
Mr. Rajiv K. Kapila, Advocate for petitioner(s)
in CWP-2927 & 33423-2025.

Mr. Pawan Kumar Goklaney, Advocate and
Mr. Ashish Goklaney, Advocate
for the petitioner(s) in CWP-15560-2025.

Mr. R.S. Pandher, Addl.A.G., Punjab with
Mr. Vikas Sonak, AAG, Punjab.

Ms. Shivani Jaglan, Advocate for
Mr. Pratap Singh Gill, Advocate
for respondent Nos. 2 to 4 in CWP-20089-2024.

Mr. Karamanbir Singh, Advocate
for respondents in CWP-1126-2023.

Mr. S.S. Kalikamma, Advocate
for respondent-PSPCL in CWP-16457-2023.

Mr. Vikas Chatrath, Sr. Advocate with
Ms. Tanya Bhurji, Advocate and
Ms. Haridhi Aggarwal, Advocate
for the respondent-Mandi Board.

Mr. Ajay Jain, Advocate respondent No.6
in CWP-2830-2024.

Ms. Jyotnoor Kaur Sethi, Advocate
for respondents No.4 and 5-PSPCL in CWP-17975-2025.

Mr. G.S. Sethi, Advocate for
respondents No.2 to 4 in CWP-2927-2025.

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Mr. Abhilaksh Gaind, Advocate with
Ms. Priya Jarial, Advocate and
Mr. Rakesh Roy, Advocate
for respondent No.5.

Mr. Nishant Maini, Advocate
for respondents No.2 to 6 in CWP-33423-2025.

Ms. Shivani Jaglan, Advocate for
Ms. Eknoor Kaur, Advocate
for respondents No.2 to 4 in CWP-25498-2025.

Mr. Parminder Singh, Advocate
for respondent No.6 in CWP-1126-2023.

Mr. Sehajbir Singh, Advocate
for respondent-PSPCL in CWP-12885-2023.

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HARPREET SINGH BRAR, J (Oral):

CM-17873-CWP-2025 in CWP-2830-2024

1. The present application has been filed under Section 151 of CPC for placing on record the affidavit.

2. In view of the grounds mentioned in the application, the same is allowed, as prayed for, subject to all just exceptions. The affidavit is ordered to be taken on record.

3. Registry is directed to place the same at an appropriate place.

Main cases

4. This order of mine shall dispose of the above-mentioned writ petitions as they arise from a similar factual matrix. However, for the sake of brevity, the facts are taken from **CWP-19245-2025**.

5. These civil writ petitions have been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing para 5.1 of the impugned instructions dated 29.10.2021 (Annexure P-4), as adopted by the Punjab State Power Corporation Limited

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vide Finance Circular No.19/2021 dated 17.11.2021 (Annexure P-7) and Paras 14 and 15.1 and 15.2 of the speaking order dated 31.03.2025 (Annexure P-10), whereby the claim of the pre-01.01.2016 retirees for revision of pension by applying multiplier factor of 2.59 has been rejected as illegal, arbitrary and discriminatory without considering the notification dated 21.06.2021 (Annxure P-2), whereby recommendations by the Cabinet in its meeting held on 18.06.2021 were accepted. Further, the petitioners seek issuance of a writ in the nature of *Mandamus* directing the respondents to revise and re-fix the pension of the petitioners who are pre-01.01.2016 retirees, by applying the multiplier factor of 2.59 on the basic pay w.e.f. 01.01.2016, along with grant of all consequential benefits of the pension/family pension including @ 18% per annum.

6. On 27.10.2025, following order was passed by this Court: -

> "*Learned counsel for the petitioners inter alia contends that the* re*spondent-corporation has adopted the instructions of Government of Punjab for the re-fixiation of pension of its employees w.e.f. 01.01.2016. The instructions contained in Finance Circular No.19/2021 dated 17.11.2021 (Annexure P-7) are entirely based* upon the Government of Punjab notifications dated 05.05.2021 and 20.09.2021 respectively. *The corporation has taken conscious decision to give effect to the instructions issued by the Government of Punjab w.e.f. 01.01.2016, and the admissible benefits are required to be calculated in terms of the adopted instructions.*
>
> *2. Learned counsel for the petitioners further refers to the agenda of the Council of Ministers held on 18.06.2021 and submits that for fixation of pension of pre 01.01.2016 pensioners, two methods were adopted, and the retirees could opt for either of the two. Learned counsel for the petitioners submits that the petitioners' claim is based upon the Method 2*

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for fixation of revised pension, which is required to be calculated by multiplying the existing Pension as on 01.01.2016 with 2.59. The said agenda was approved by the Government of Punjab on 21.06.2021 and notification was issued (Annexure P-2). The petitioners, being similarly situated pre 01.01.2016 retirees, approached this Court by filing CWP-12902-2023 titled as Pawan Kumar Kaushal and others Vs. State of Punjab and others, which was decided along with a Bunch of 17 cases on 28.11.2025. Learned counsel for the petitioners refers to the order passed by the Coordinate Bench of this Court and submits that the Court had taken into consideration both methods for re-fixation under the 6th Pay Commission, and the respondent-Corporation ought to have given an option to the pre 01.01.2016 retirees to exercise either of the two methods. However, no such option was given to the petitioners; rather, in order to deny the right of the petitioners and circumvent the decision of the Council for Ministers, the respondent while passing the speaking order, observed (Annexure P-10) that the recommendation of 6th Pay Commission to apply the factor of 2.59 for revising the pension of pre 01.01.2016 pensions w.e.f 01.01.2016 was not accepted by the Cabinet in his meeting held on 21.06.2021.

3. It is submitted that the aforementioned stand taken by respondent-corporation is speaking order is contrary to the agenda and the notification issued by the Government of Punjab (Annexure P-2). Further, the direction issued by this Court in Pawan Kumar Kaushal(supra) has not been complied with.

4. Learned State counsel, on the other hand, submits that the learned counsel for the petitioners is relying upon the agenda item circulated for the approval the Council of Ministers. However, the learned State counsel was not able to

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controvert the fact that the Council of Ministers had approved the agenda items adopting the two methods, which includes multiplying the existing pensions as on 01.01.2016 with the said factor of 2.59. While issuing the notification (Annexure P-4), the methodology as suggested by the Pay Commission was not adopted. Further, there is no reference to the recommendation of the decision taken by the Council of Ministers in its meeting held on 18.06.2021 regarding the condition of multiplier of 2.59.

5. Having heard the learned counsel for the parties, it transpires that the Pay Commission, being an expert body, had recommended that pension of pre 01.01.2016 pensioners should be revised w.e.f. 01.01.2016 by applying a multiplier with the factor of 2.59 on the existing pension as on 01.01.2016. Once the recommendation by the Pay Commission has been approved by the Council of Ministers, as is evident from Annexure P-2, notification dated 18.01.2021 the Government of Punjab ought to have adopted the recommendations accepted by the Council of Ministers in the notification issued on 29.10.2021 (Annexure P-4). The grievance of the petitioner relating to the provision of para 5.1 of the circular dated 29.10.2021 (Anneuxre P-4) is valid and requires consideration to resolve the controversy raised in the present petition.

6. The respondent No.2 is directed to file an affidavit deliberating thereupon whether the Council of Ministers had approved recommendation of the Pay Commission with regard to applying the multiplier 2.59 to the existing pension as on 01.01.2016 in terms of the recommendations made by the Pay Commission and further whether the circular issued on 29.10.2021 (Annexure P-4) has been issued in terms of decision taken by the Council of Ministers. Needful be done on or before the next date of hearing.

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7. Adjourned to 20.11.2025.

8. Photocopy of this order be placed on the files of other connected cases."

7. In compliance thereof, an affidavit dated 19.12.2025 was filed on behalf of respondent No.2 and in paragraph No.4 of this affidavit, a categorical stand has been taken that the recommendation of 6th Punjab Pay Commission to apply a multiplying factor of 2.59 for revising the pension of pre-01.01.2016 pensioners with effect from 01.01.2016 were not approved by the Cabinet in its meeting held on 18.06.2021.

8. Learned counsel for the petitioner(s) submit that the petitioner(s) superannuated prior to 01.01.2016 from the respondent-Corporation and are getting pension as embodied in Punjab Civil Service Rules, Volume-II. As such, they are pre-01.01.2016 pensioners. Learned counsel for the petitioner(s) relied upon Annexures P-2 and P-11 and have disputed the specific stand taken by respondent No.2 in his affidavit dated 19.12.2025.

9. Learned State counsel submits that the controversy involved in these cases can be referred to the Empowered Committee constituted by the Government of Punjab under its litigation policy.

10. I have heard learned counsel for the parties and perused the case record with their able assistance. In view of the controversy involved in the present case, this Court finds appropriate to leave the issue to be examined and decided by the Empowered Committee headed by Chief Secretary, of State of Punjab constituted in terms of the litigation policy. This Court, while exercising its jurisdiction under Article 226 of the Constitution, cannot undertake a fact-finding inquiry into disputed questions of fact. The determination of several contested issues, would require a perusal of record and delving into the facts. In such cases, the High Court cannot transform

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itself into a court of first instance to reappreciate evidence, decide intricate factual disputes or undertake fact finding inquiry. As such, the issue involved in the present petition is required to be decided after examining the relevant record and requires adjudication of the factual dispute. As such, present petition is required to be disposed of with a direction to the Empowered Committee headed by Chief Secretary to consider and treat this writ petition as comprehensive representation and decide the same by passing a reasoned speaking order.

11. In ***Paramjit Kaur Vs. State of Punjab and others, CWP-7727-2025,*** decided on 20.03.2025, this Court issued certain directions and in compliance thereof, the Government of Punjab has constituted an Empowered Committee vide letter dated 16.04.2025. The said Committee was established under the Punjab Dispute Resolution & Litigation Policy, 2020, which aims to encourage the swift resolution of disputes, reduce future litigation, and address the considerable backlog faced by the Courts.

12. In view of the above, all the aforementioned writ petitions are disposed of in the following terms:

(i) The Empowered Committee constituted under the Punjab Litigation Policy is hereby directed to treat these writ petitions as a comprehensive representation and to consider and adjudicate upon the issue raised herein. In the alternative, the petitioner(s) shall be at liberty to submit their respective detailed representation(s) setting out their claim(s) within a period of two weeks from the date of receipt of a certified copy of this order.

(ii) The Committee shall pass a reasoned and speaking order, after granting an opportunity of personal hearing to the petitioner(s),

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within a period of four months from the date of receipt of certified copy of this order, or from the date of receipt of the representation of the petitioner(s), as the case may be. Further, the decision taken thereon shall be conveyed to the petitioner(s). Needless to say, if the petitioner(s) are found entitled to the relief sought, the same shall be granted to them forthwith.

13. The pending miscellaneous application(s), if any, shall also be disposed of.

14. Photocopy of this order be placed on files of connected cases.

(HARPREET SINGH BRAR)
JUDGE

29.01.2026
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1. Whether speaking/ reasoned: Yes /No
2. Whether reportable : Yes /No

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