



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-10963-2026

Date of Decision :11.05.2026

KULDEEP CHAND SOOD

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Vivek K. Thakur, Advocate,
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition, cast under Article 266/227 of the Constitution of India, a challenge is thrown to the order dated 23.02.2026 (Annexure P-5), whereby, the claim of the petitioner as raised through the legal notice dated 15.12.2025 (Annexure P-4), for payment of interest on the delayed payment of arrears on account of pay, gratuity, etc., was declined.

2. It is not under dispute that the arrears were paid to the petitioner in view of the judgment dated 17.01.2025 rendered by a Co-ordinate Bench of this Court in CWP-15019-1998, titled as “**Kuldeep Chand Sood vs. State of Punjab and others**”.

3. In the earlier round of litigation, i.e. CWP No. 15019 of 1998, the petitioner had approached this Court seeking the benefit of the

continuous service rendered by him in GREF from 08.10.1968 to 08.04.1991 towards pay fixation, grant of increments, promotion and seniority, as well as revision of pay in the cadre of Junior Engineer and higher posts, which had been denied to him. While deciding the said writ petition, this Court partly allowed the petition and held the petitioner is entitled to the grant of increments for the period during which he had served in GREF, so as to fix his salary. The relevant is extracted hereinafter:-

“11. Keeping in view the above, the present petition is allowed to be extended, the petitioner will be entitled for the increments for the period he has been serving in GREF so as to fix his salary.

12. The service rendered by the petitioner in GREF will also to be treated as a part of qualifying service for computing his pensionary benefits admissible to him after the petitioner retired from service in the Government of Punjab in case the petitioner has not been granted any benefit of the service rendered in GREF, for any such purpose.

13. The claim of the petitioner for the grant of seniority be cannot be accepted as he benefit of service rendered in GREF has already been given hence, no such benefit will be admissible to the petitioner qua seniority.

14. Let the respondents recalculate the entitlement of the petitioner. The petitioner will also be entitled for the arrears upon the refixation of his salary starting from July, 1996.

15. Pending application, if any, also stands disposed of. ”

4. This Court has put a specific query to learned counsel for the petitioner, as to why, the relief regarding interest on delayed payment of arrears, which was to be calculated, had not been claimed in the earlier writ petition, to which, he failed to give any satisfactory answer to this Court.

5. Further, this Court has put another query to him, as to how, the instant writ petition, is maintainable in view of the principle of constructive *res judicata*. In reply to which, though, he tried to satisfy this

Court, the interest on the delayed payment is an independent right, in view of the judgement rendered in **A.S.Randhawa vs. State of Punjab and others, 1997 (3) SCT 468**, however, he failed to satisfy this Court as to why, such prayer was not made in the earlier round of litigation, when the said cause was very much available to the petitioner.

6. Having failed to satisfy this Court on the aforesaid aspects, this Court has no hesitation in concluding that the instant writ petition is not maintainable, being hit by the principle of *constructive res judicata*.

7. Consequently, the instant writ petition, is hereby, **dismissed**.

8. All pending application(s), if any, stand **disposed** of accordingly.

May 11, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No