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

CWP-13410-2026

Date of decision: 01.05.2026

Jaswinder Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Harnanak Singh, Advocate for
Ms. Sonia G. Singh, Advocate
for the petitioner.

Mr. Vikas Sonak, AAG, Punjab.

Mr. Nishant Maini, Advocate
for respondent No.4.**HARPREET SINGH BRAR, J. (ORAL)**

1. The present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to release the complete retiral benefits after fixation of the pay of the petitioner as per sixth pay commission and after re-fixation of the pension of the petitioner and for grant of arrears of pension, gratuity, leave encashment, provident fund and arrears of pay. Further, to re-fix the pay of the petitioner after granting 32 year service benefit which the petitioner is entitled as per the policy and after fixing the pay after grant of the benefit of 32 years increment, the arrears of pay and pension be granted to the petitioner and also to grant interest @ 18% on the delayed payment to the petitioner.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner joined service as Octroi Peon in Municipal Council, Nabha on



23.12.1980 and retired on 30.11.2020. He further submits that the petitioner is entitled to 32 years of service increment on 23.12.2012 but the said benefit was not granted. The petitioner requires fixation after grant of 32 years increment as per the 6th Pay Commission with effect from 01.01.2016 and further, the gratuity was enhanced vide notification dated 29.03.2018 (Annexure P-2). The petitioner was not granted the enhanced balance amount towards the enhanced gratuity. The pay fixation order (Annexures P-3 & P-4) clearly shows that 32 years increment due on 23.12.2012 was not provided.

3. Per contra, learned counsel for the respondent(s) submits that the claim of the petitioner towards the 32 years' service increment is hopelessly time-barred and suffers from the vice of delay and laches. Admittedly, the said right accrued on 23.12.2012, and after his retirement, it does not constitute a recurring cause of action. On the ground of delay and laches, the present petition is liable to be dismissed. He further submits that the claim of the petitioner towards enhanced gratuity, leave encashment, and provident fund shall be considered in a time-bound manner. He submits that the admissible arrears towards gratuity and leave encashment have already been paid to the petitioner.

4. Learned counsel for the petitioner at this stage, submits that the present petition be treated as a comprehensive representation and the same be decided in a time bound manner by passing a speaking order after affording the petitioner an opportunity of being heard.

5. Notice of motion.

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6. Mr. Vikas Sonak, AAG, Punjab puts in appearance and accepts notice on behalf of for respondent-State. Mr. Nishant Maini, Advocate puts in appearance and accepts on behalf of respondent No.4.

7. Learned counsel for the respondents submits that the grievance raised by the petitioner in the present writ petition would be considered by passing a speaking order in accordance with the law by respondent No.4.

8. Therefore, in view of the submissions made by the learned counsel for the parties, the present writ petition is disposed of and respondent No.4 is directed to treat this writ petition as a comprehensive representation and consider the claim of the petitioner and pass a speaking order after affording him an opportunity to be heard, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by respondent No.4.

(HARPREET SINGH BRAR)
JUDGE

01.05.2026*Neha*

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No