

CWP-15085-2026

2026:PHHC:075885



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

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Date of Decision: **14.05.2026**

Ravinder Mittal and another

....Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Abhishek Singla with Ms. Preetleen Kaur, Advocates the petitioners.

Ms. Pratibha Bali, AAG Punjab.

Mr. Ashwani Prashar, Advocate for respondent No.3.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of *mandamus* directing the respondents to grant two qualifying increments to each petitioner w.e.f. 03.01.2023 being the date of passing the CAIIB examination/issuance of certified by IIBF strictly in terms of Rule 2.2(g) of Punjab State Cooperative Financing Institutions Service Rules (Common Cadre Rules) 1970-71. Further directing the respondents to refix the pay of both petitioners from 03.01.2023 after granting the two qualifying

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increments and thereafter to release all arrears arising from such refixation along with interest @ 18% p.a.

2. Learned counsel for the petitioners, *inter alia*, contends that the petitioners were duly selected and appointed as Senior Managers in the respondent-Bank on 30.10.2021. It is submitted that the respondent-Bank had granted prior permission to the petitioners to appear in the CAIIB examination conducted by the Indian Institute of Banking and Finance (IIBF) during the months of November and December, 2022. Upon successful qualification of the said examination, the IIBF issued CAIIB certificates to both the petitioners reflecting the date of passing as 03.01.2023 (Annexures P-2 and P-3). Learned counsel submits that in terms of Rule 2.2(g) of the Punjab State Cooperative Financing Institutions Service Rules (Common Cadre Rules), 1970-71, the petitioners became entitled to the grant of two qualifying increments from the very date of passing the CAIIB examination i.e. 03.01.2023.

2.1 It is further contended that petitioner No.1 submitted representations dated 04.02.2023 (Annexure P-4) and 20.12.2024 (Annexure P-7), whereas petitioner No.2 submitted representation dated 03.02.2023 (Annexure P-5), specifically claiming the benefit of qualifying increments from the date of issuance of the CAIIB certificates. However, despite the repeated requests made by the petitioners, the respondent-Bank issued pay fixation orders dated 19.11.2025 (Annexures P-8 and P-9) granting the

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benefit of two increments only from subsequent dates, namely 03.12.2024 in the case of petitioner No.1 i.e. the date of completion of probation, and 14.03.2025 in the case of petitioner No.2.

2.2 Learned counsel submits that the impugned action of the respondents in linking the grant of qualifying increments with the completion of probation, instead of the actual date of passing the CAIIB examination, is wholly illegal, arbitrary, misconceived and contrary to the express mandate of Rule 2.2(g) of the Common Cadre Rules, 1970-71. It is argued that the statutory rule does not prescribe completion of probation as a pre-condition for accrual of the benefit of qualifying increments and, therefore, the respondents could not have introduced such a condition through administrative interpretation. Learned counsel further submits that tethering the grant of increments to a subsequent administrative event such as probation clearance is de hors the statutory rules and without any authority of law.

2.3 It is further argued that the action of the respondents is discriminatory and violative of Article 14 of the Constitution of India inasmuch as another similarly situated employee namely Jaspuneet Singh has been granted the very same benefit from the correct date i.e. 03.01.2023 vide order dated 03.04.2026 (Annexure P-12), whereas identical treatment has been denied to the petitioners without any reasonable basis. Learned counsel further places reliance upon the judgment passed by this very Court

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in *CWP-14675-2001, Bhupinder Singh Versus The Registrar Cooperative Societies, Punjab and others*, decided on 06.08.2025, wherein the issue involved in the present case is stated to have already been considered.

2.4 At this stage, learned counsel for the petitioners submits that the present writ petition may be treated as a comprehensive representation and a direction be issued to the respondent No.3/competent authority to consider and decide the claim of the petitioners by passing a reasoned and speaking order, within a stipulated period, in the light of the judgment rendered in *Bhupinder Singh (supra)* as well as order dated 03.04.2026 (Annexure P-12), after affording an adequate opportunity of hearing to the petitioners, in accordance with law.

3. On advance notice, Ms. Pratibha Bali, learned Assistant Advocate General, Punjab accepts notice on behalf of the respondent-State, whereas Mr. Ashwani Prashar, Advocate has put in appearance on behalf of respondent No.3 and filed memo of appearance on its behalf, which is ordered to be taken on record. Registry is directed to tag the same at an appropriate place on the file. They submits that they have no objection in case a direction is issued to respondent No.3/competent authority to consider and decide the claim of the petitioners by passing a reasoned and speaking order in accordance with law.

4. In view of the limited prayer made by learned counsel for the petitioners and without expressing any opinion on the merits of the case, the

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present writ petition is disposed of with a direction to respondent No.3/competent authority to treat the present writ petition as a comprehensive representation and to consider and decide the claim of the petitioners by passing a reasoned and speaking order, in accordance with law, keeping in view the judgment rendered by this Court in ***Bhupinder Singh (supra)*** and order dated 03.04.2026 (Annexure P-12), within a period of three months from the date of receipt of a certified copy of this order.

4.1 It is further directed that the decision so taken shall be communicated to the petitioners forthwith. Needless to observe that in case the petitioners are found entitled to the relief claimed, all consequential benefits including refixation of pay and release of arrears, in accordance with law, shall also be granted expeditiously.

5. Pending miscellaneous application(s), if any, shall also stand disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

14.05.2026

Puneet Chawla

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No