2026:PHHC:047209

203 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-24996-2014
DECIDED ON: 13.03.2026

KHARATI RAM MAINI (SINCE DECEASED) TH. LRs.
.....PETITIONERS

VERSUS

STATE BANK OF INDIA AND OTHERS
....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. V.K. Pandey, Advocate
for the petitioner.

Mr. Vikas Chatrath, Sr. Advocate with
Ms. Rishita Kaushik, Advocate and
Ms. Preeti Agroa, Advocate
for respondents No.1 to 3

SANDEEP MOUDGIL, J

Prayer

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to re-fix the pension of the petitioner on the basis of the substantive salary drawn during the last twelve months preceding his retirement w.e.f. 01.06.1993, along with consequential revision in terms of Circular dated 10.10.2006, and for release of arrears. The petitioner has also prayed for quashing of the order dated 14.03.2014 passed by respondent No.3.

Brief Facts

2. The petitioner joined the Imperial Bank of India on 01.10.1952 and, upon constitution of the State Bank of India under the State Bank of India Act, 1955, his services stood transferred to the respondent-Bank. He retired from service on 31.05.1993.

3. At the time of retirement, his pension was calculated in accordance with the applicable Rules, and he was granted pension at the rate of Rs.1781/- being the lesser of the amounts calculated under Rule 18 and Rule 20 of the Imperial Bank of India Pension Rules. Subsequently, after coming to know about revision of pay scales pursuant to the Bipartite Settlement, the petitioner sought re-fixation of his pay and pension and issued legal notices. The respondent-Bank re-fixed his pay and released certain arrears in the year 2008 but did not grant further pensionary benefits as claimed. The petitioner thereafter pursued representations, which ultimately culminated in rejection vide order dated 14.03.2014, leading to the filing of the present writ petition.

Contentions
On behalf of the petitioner(s)

4. Learned counsel for the petitioner(s) argues that the action of the respondent-Bank in denying proper revision of pension is arbitrary and contrary to the applicable rules. It is submitted that the petitioner had served the Bank for a long period and retired on attaining the age of superannuation on 31.05.1993, and therefore his pension ought to have been calculated on the basis of the average substantive salary drawn during the last twelve months of service. It is further contended that after the 6^{th} Bipartite Settlement, the pay of the petitioner stood revised retrospectively w.e.f. 01.11.1992, and once such revision has been granted,

the natural consequence should be revision of pension as well. The respondents, while re-fixing the pay and granting certain arrears, have illegally failed to re-fix the pension accordingly.

5. Learned counsel also submits that the Circular dated 10.10.2006 clearly provides for pension to be calculated as a percentage of the average pay of the last twelve months, and the petitioner is fully entitled to the benefit of the said circular. The denial of such benefit is stated to be discriminatory and violative of Articles 14 and 16 of the Constitution of India. It is thus prayed that the impugned order dated 14.03.2014 be set aside and the respondents be directed to re-fix the pension of the petitioner along with all consequential benefits.

On behalf of the Respondents No.1 to 3

6. Per contra, learned counsel for the respondents submits that the writ petition is wholly misconceived and liable to be dismissed.

7. It is argued that the pension of the petitioner has been calculated strictly in accordance with the statutory rules governing the field, namely the State Bank of India Employees' Pension Fund Rules, which have been framed under the State Bank of India Act, 1955 and carry statutory force.

8. Learned counsel submits that as per the applicable rules, pension is to be calculated on the basis of the formula prescribed therein, and the petitioner was rightly granted pension as per Rule 18 and Rule 20, i.e., the lesser of the two calculated amounts. It is contended that the petitioner has already been extended the benefit of pay revision pursuant to the Bipartite Settlement, and arrears have also been paid. However, there is no provision under the rules which entitles the petitioner to re-computation of pension in the manner now claimed.

9. It is further argued by learned counsel for the respondents that pension is a statutory right and not a matter of equity or sympathy. Unless the rules specifically permit, no additional benefit can be claimed. The Circular dated 10.10.2006, relied upon by the petitioner, does not have retrospective applicability to reopen settled cases like that of the petitioner.

10. It is thus submitted that the impugned order is legal, well-reasoned and calls for no interference by this Court.

Analysis

11. After hearing the learned counsel for the parties and examining the record, this Court is of the considered view that the claim raised by the petitioner cannot be sustained.

12. It is not disputed that the pension of the petitioner is governed by the statutory rules framed under the State Bank of India Act, 1955. These rules have binding force, and any claim relating to pension must strictly conform to the provisions contained therein.

13. The record clearly shows that at the time of retirement, the pension of the petitioner was calculated in accordance with Rule 18 and Rule 20 of the applicable rules, and he was granted the lesser of the two amounts, which is the prescribed method under the rules.

14. The contention of the petitioner that revision of pay automatically entitles him to revision of pension cannot be accepted in the absence of any specific rule providing for such automatic re-computation. The respondents have already extended the benefit of revised pay and released arrears, thereby complying with the applicable settlement. As regards the Circular dated 10.10.2006, the same cannot be interpreted to confer a retrospective right so as to

reopen settled pension cases, unless expressly provided. Accepting such a contention would lead to uncertainty and unsettle long-settled financial matters.

15. It is also relevant to note that the petitioner approached the authorities after a considerable lapse of time, and such delayed claims, particularly in service matters relating to pension fixation, cannot be entertained lightly. Hence, this Court is of the considered view that the impugned order dated 14.03.2014 has been passed after due consideration and does not suffer from any illegality, arbitrariness or perversity.

<u>Conclusion</u>

16. In view of the above discussion, this Court is satisfied that the petitioner has failed to establish any legal right for further revision of pension beyond what has already been granted in accordance with the statutory rules.

17. No ground is made out for interference under Article 226 of the Constitution of India.

18. Accordingly, the present writ petition is dismissed, being devoid of merit.

19. Pending applications, if any, stand disposed of.

(SANDEEP MOUDGIL)
JUDGE

13.03.2026
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No