



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

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CWP-1918-2018 (O&M)

Date of Decision : 08.01.2026

Sarup Singh and another

....Petitioners

Versus

Union of India and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. I.S.Sidhu, Advocate
for the petitioners.

Mr. Vijay Pal, Senior Panel Counsel
for the respondent – UOI.

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the impugned order dated 24.03.2017 (Annexure P-4) passed by respondent No.4 – Central Administrative Tribunal, Chandigarh Bench, Chandigarh (hereinafter referred to as ‘the Tribunal’), by which, the claim raised by the petitioner – retired Superintendent of Post Offices seeking grant of the raised Pay Scale of Rs.7500-12000/- along with the Grade Pay of Rs.4800/- w.e.f. 01.01.1996 has been rejected.

2. The learned counsel for the petitioner submits that even if, the aforesaid pay scale was not granted to the petitioners in the year 1996, once the same was claimed in the year 2016, after a period of 20 years, the benefit should have been granted but the same was declined by the Tribunal.

3. Learned counsel for the respondent – UOI submits that Grade Pay of Rs.4800/- was only attached to the Pay Scale of Rs.7500-12000/-

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which pay scale was concededly never granted to the petitioners and therefore, claiming of the Grade Pay of Rs.4800/- instead of Grade Pay of Rs.4200/-, is not maintainable. Learned counsel for the respondent submits that even otherwise, as per Section 21 of the Administrative Tribunal Act 1985, the limitation for raising the grievance is one year where specific written order has been passed declining the relief and where a claim is being raised for the grant of service benefit, the same is one and half years from the date of accrual of the cause of action whereas in the present case, the original application was filed after a period of 20 years which is otherwise not maintainable.

4. We have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Once, it is a conceded fact that the Grade Pay of Rs.4800/- was attached to the Pay Scale of Rs.7500-12000/-, which pay scale was never granted to the petitioners at any given point of time in their service career, such claim could not have been raised after a period of 20 years in view of Section 21 of the Administrative Tribunal Act, 1985.

6. Section 21 of the Administrative Tribunal Act, 1985 has been interpreted by the competent Court of law to mean that where a written order denying the benefit has been passed, the grievance has to be raised within a period of one year from the date of accrual of the cause of action and where, a claim is being raised for the grant of certain service benefits, the limitation period will be one and a half year from the date the cause of action accrues.

7. In the present case, the claim pertains the year 1996 whereas the original application was filed only in the year 2016. The learned counsel for the petitioners has not been able to show that the original application was filed



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within the prescribed limitation period.

8. Learned counsel for the petitioners argues that non grant of the benefit means continuing cause of action.

9. It may be noticed that once, the period of limitation has been provided and interpreted by the Court, the plea of continuing cause of action cannot be invoked to file a claim after a period of 20 years especially when the delay has not been explained at all.

10. Even otherwise, on the merits also, the Grade Pay of Rs.4800/- was only attached to the Pay Scale of Rs.7500-12000/- which pay scale was never granted to the petitioners during their service career hence, claiming of the said Grade Pay of Rs.4800/- without the grant of the allowed pay scale and that too after retirement was even otherwise not admissible and has rightly been declined. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

11. Accordingly, the writ petition is dismissed.

12. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

January 08, 2026

Varinder

Whether speaking/reasoned : Yes

Whether reportable : No