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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **LPA 369/2026**

S.S. SAINI

.....Appellant

Through: Mr. Vivek Singh, Adv.

versus

PUNJAB AND SIND BANK

.....Respondent

Through: Ms. Kittu Bajaj, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

15.05.2026

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CM APPL. 32828/2026 & CM APPL. 32829/2026

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

LPA 369/2026 & CM APPL. 32827/2026

3. Heard learned counsel for the parties.
4. Having gone through the averments seeking condonation of delay and also considering the fact that the present appeal has been filed by a retired employee who is a senior citizen, the delay in filing the appeal is hereby condoned and the application being CM APPL. 32827/2026 is allowed.
5. In this intra-Court appeal, a challenge to the order dated 28.10.2025 passed by the learned Single Judge whereby W.P.(C) 3542/2017 instituted by the appellant has been disposed of with a direction to the respondent bank



for expeditious decision on the representation of the appellant in respect of fixation of pay/ pension.

6. The learned Single Judge, while issuing notice on the writ petition vide order dated 24.04.2017 has recorded a statement that the appellant would not challenge the order dated 27.06.2006 of the Disciplinary Authority, 22.02.2007 of Appellate Authority and 23.08.2007 of the Reviewing Authority.

7. After recording the said statement notice was accordingly issued on the writ petition on a limited issue. The order dated 24.04.2017 has wrongly been quoted in the impugned order dated 28.10.2025. In fact, the order dated 24.04.2017 reads as under:

“CM 15451/2017

Allowed subject to all just exceptions.

Application is disposed of.

WP(C) 3542/2017

It is the submission of the learned counsel for the petitioner that the petitioner was imposed a penalty of reduction to lower stage in the time scale of pay by two stages for two years with a further direction that he will not earn increment of pay during the period of such reduction and on expiry of such period, the reduction will have the effect of postponing the future increments of his pay in terms of Regulation 4(f) of Punjab & Sind Bank Officer Employees' (Discipline & Appeal) Regulations, 1981. He would state that the penalty was for a period of two years but in the meantime, the petitioner superannuated on 31st August, 2007 when the penalty was in operation. He would state, on June 27, 2008 the petitioner's pension should have been re-fixed on the pay as was being drawn by the petitioner before the date of penalty.

He fairly states that he would not challenge the order dated 27th June, 2006 of the Disciplinary Authority, 22nd February, 2007 of Appellate Authority and 23rd August, 2007 of the Reviewing Authority. The statement is taken on record.

It is apparent the petitioner has approached this Court after 11 years, but the plea of Mr. Vivek Singh pertains to re-fixation of his pension. If the pension was to be re-fixed on June 27, 2008, the same has a bearing on the pension being paid to him today and shall also have a bearing on his pension in future. This Court is of the view that the notice be issued on the petition on the limited aspect of re-fixation of the petitioner's pension on



June 27, 2008 and if the petitioner succeeds, the arrears thereof, shall be for a period of three years preceding the filing of the writ petition. Mr. Rajat Arora accepts notice. Counter-affidavit be filed in four weeks. Rejoinder affidavit be filed within two weeks thereafter. List before Joint Registrar on 29th August, 2017. ”

8. By the impugned order, the learned Single Judge has only required the respondent to consider the representation/ case of the appellant for fixation of pay/ pension etc. After the period of two years expired in terms of the order of penalty of reduction of pay to a lower stage in the current scale by two stages, the learned Single Judge has only required the respondent bank to consider the said prayer and has disposed of the writ petition.

9. In view of the order dated 24.04.2017 passed by the learned Single Judge whereby notice was issued only for limited purposes, we do not find any good ground to interfere in this appeal for the reason that the grievance relating to fixation of pay/ pension is yet to be considered by the respondent bank. The appeal, is thus, dismissed.

10. At this juncture, the learned counsel for the respondent states, on instructions, that the decision in terms of the order dated 28.12.2025 passed by the learned Single Judge is likely to be taken by 18.05.2026. We, thus, expect that the respondent bank shall abide by the statement made on its behalf. No order as to costs.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MAY 15, 2026

N.Khanna