



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

252-1

CWP-3933-2023 (O&M)
Date of decision: 24.04.2025

Mahaveer Singh ...Petitioner

VERSUS

Union of India and others ...Respondents

252-2

CWP-3956-2023(O&M)
Date of decision: 24.04.2025

Sumer Singh ...Petitioner

VERSUS

Union of India and others ...Respondents

252-3

CWP-3959-2023(O&M)
Date of decision: 24.04.2025

Chandu Lal ...Petitioner

VERSUS

Union of India and others ...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Ashwani Jangid, Advocate for the petitioner(s).

Mr. S.K. Sharma, Sr. Panel Counsel,
for respondent-UOI in CWP-3933-2023

Mr. Shivoy Dhir, Sr. Panel Counsel,
for respondent-UOI in CWP-3956-2023.

Ms. Saigeeta Srivastava, Senior Panel Counsel,
for respondent(s)-UOI in CWP-3959-2023.

VINOD S. BHARDWAJ, J. (Oral)

1. Involving identical issues, these three writ petitions are being disposed of by a common order. A brief reference of the facts for disposal of the cases are extracted from **CWP-3933-2023** titled as '**Mahaveer Singh Vs.**

**Union of India and others’.**

2. Challenging the speaking order bearing No. 21.01.2021-Head Clerk/52BN/15787 dated 08.08.2022 issued by the respondent-Department, whereby the admissible dues of the petitioner(s) have not been correctly ascertained and disbursed, the instant writ petition has been filed.

3. Reply by way of an affidavit on behalf of the respondents has been filed, after failure of the conciliation proceedings, wherein the respondents have specifically averred that the petitioner was enrolled as a Constable (GD) in BSF in the year 1971. He was promoted to the post of Lance Naik, Naik, and thereafter as Head Constable on 01.10.1991. It is also averred that the petitioner voluntarily sought retirement from service w.e.f. 30.11.1996 after completion of 25 years and 04 months of qualifying service. At the time of superannuation, he was receiving basic pay @ Rs.1,330/- per month in the pay scale of Rs.975-25-1150-EB-30-1660 (as per 4th CPC). PPO No.240559625369 dated 21.11.1996 was issued to the petitioner with basic pension of Rs.604/- per month w.e.f. 01.12.1996. As per the request of the petitioner, his pension was commuted for Rs.201/- (Commuted value of Rs.35,312/-). Hence, the pension was reduced to Rs.403/- per month and the same has been granted to him. It is further averred that thereafter, on revision of the basic pay under the 5th and subsequent Central Pay Commissions, the revised pension order had been sent to the A.O. PAD (Pension Revision Cell) dated 29.12.2017 for fixation of his basic pension @ Rs.12,600/- per month w.e.f. 01.01.2016. The requisite benefits have already been released.



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4. Learned counsel appearing on behalf of the respondent(s)-UOI placed much reliance on the aforesaid contentions and contends that all admissible dues with respect to the pension and other benefits already stand released in favour of the petitioner and that no counter affidavit controverting the specific stand of the respondent(s) has been filed by the petitioner(s) to the averments contained in the reply. Even though an attempt has been made by the counsel for the petitioner(s) contending that all dues have not been correctly assessed, he does not dispute that no affidavit countering the same has been filed by him.

5. Under the given circumstances, I do not deem it appropriate to adjourn the matter(s). The writ petitions are accordingly disposed of as having been rendered infructuous in view of the averments contained in the reply filed and the arguments advanced by the counsel for the respondent(s)-UOI.

6. Liberty is, however, granted to the petitioner(s) to file an application for revival of the present petitions within a period of three months from today, in case the calculation made by the respondents and as intimated to this Court in the reply is found incorrect.

(VINOD S. BHARDWAJ)
JUDGE

24.04.2025*Mangal Singh*

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