



CWP-26683-2025 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-26683-2025 (O&M)
Date of Decision :08.09.2025

Union of India and others

...Petitioners

Versus

Central Administrative Tribunal Chandigarh Bench,
Chandigarh and another

...Respondents

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

Present: Dr. Anandeshwar Gautam, Advocate for the petitioners.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to order dated 25.04.2025 (Annexure P/1) passed by the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (in short, 'the Tribunal') by which, a direction has been given to the petitioners that on expiry of the punishment imposed upon respondent No.2 of postponing his benefit of future increment for a period of six months, the same should be released in favour of the respondent No.2.

2. Learned counsel for the petitioners argues that as per the punishment imposed upon the respondent No.2 vide order dated 30.05.2016 (Annexure A-2), the pay of the respondent No.2 was reduced from Rs.21,680/- to Rs.21,040/- in the pay scale of Rs.9300-34800/- with grade pay of Rs.4600/- and further the increment in salary which was due to him



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on 01.07.2016 was to be postponed for a period of six months from the date it became due.

3. Learned counsel for the petitioners submits that the said punishment was imposed upon respondent No.2 on 30.05.2016 and hence, the respondent No.1 was only entitled for the benefit of increment starting from 01.07.2017 onwards whereas, the same has been directed to be released on 01.12.2016 onwards by the Tribunal, which is incorrect.

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

5. The punishment order by which, punishment was imposed upon the respondent No.2 is reproduced as under:-

“I therefore hold you guilty of charges viz SF-05 dtd.12.11.2014 levelled against you and have decided to impose upon you the penalty of reduction to lower stage in same time scale. You are, therefore, reduced from the stage of Rs.21680/- to stage Rs.21040/- in scale of Rs.9300-34800+4600 GP you are holding at present for a period of NIL years and SIX months with postponing your future increment from the date of this order.”

6. A bare perusal of the above reproduction would show that the benefit of increment admissible to respondent No.2 was postponed only for a period of six months from date the same became due, the said order of punishment does not state that the said benefit of increment has been withheld with cumulative effect or for a period of more than six months.

7. It is a conceded position that benefit of increment was due to respondent No.2 on 01.07.2016 which stood postponed upto 01.12.2016 in accordance to the aforementioned punishment order but the same was not released to him against which, the grievance was raised by respondent No.2

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and the said benefit has been directed to be released from 01.12.2016 by the Tribunal on the expiry of the punishment. In view of the facts and circumstances of the present case, the impugned order passed by the Tribunal is perfectly valid and legal as the benefit of increment admissible to him was only postponed for a period of six months from the date it became due and same was never withheld with cumulative effect.

8. In case the argument of the learned counsel for the petitioners is accepted that the increment will only be released from 01.07.2017, the same will amount to withholding of the benefit of increment admissible to respondent No.2 beyond the period of six months which will not be in accordance to the punishment imposed vide punishment order dated 30.05.2016 (Annexure A-2) That being so, the impugned order passed by the Tribunal is valid keeping in view the punishment imposed upon respondent No.2 and no ground for interference by this Court is made out and the writ petition is accordingly dismissed.

9. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 08, 2025

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*Whether speaking/reasoned : Yes**Whether reportable :*

(VIKAS SURI)
JUDGE

No