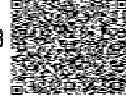


2025:PHHC:101159-DB



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

**CWP-13536-2025 (O&M)
Date of decision: 06.08.2025**

Justice (Retd.) Ritu Tagore

.....Petitioner

Versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Sandeep Jain, Advocate,
Mr. Davinder Kumar, Advocate,
Mr. Sachin Jain, Advocate,
and Mr. Ranwant Singh Sangha, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India,
(Through Video Conferencing)
with Ms. Shreyansi Verma, Central Govt. Counsel,
for respondent No.1-UOI.

Mr. Amit Singh Sethi, Advocate,
for respondent Nos. 2 and 3.

SHEEL NAGU, C.J. (ORAL)

1. Learned counsel for the rival parties do not dispute that the issue raised in this petition is no more *res integra* in view of the recent decision of the Apex Court rendered on 19.05.2025 in Suo Motu Writ Petition (C) No.4 of 2024 (In RE: Refixation of Pension Considering Service period in District Judiciary and High Court), where following directions have been passed in para no.76 of the judgment:-

“V. CONCLUSION

76. In the result, the present writ petitions are disposed of with the following directions:

(i) The Union of India shall pay the full pension of Rs.15,00,000/- per annum to a retired Chief Justice of the High Court;

(ii) The Union of India shall pay the full pension of Rs.13,50,000/- per annum to a retired Judge of the 60 High Court, other than a retired Chief Justice of the High Court;

(iii) A retired Judge of the High Court shall also include such of the retired Judges of a High Court who have retired as Additional Judge of the High Court;

(iv) We direct that the Union of India shall follow the principle of One Rank One Pension to all the retired Judges of the High Courts irrespective of their source of entry i.e., District Judiciary or the Bar, and irrespective of number of years that they have served either as a District Judge or a High Court Judge and all of them shall be paid full pension as aforesaid;

(v) In the case of a retired Judge of the High Court who has previously served in the District Judiciary, the Union of India shall pay full pension irrespective of any break-in-service between the date on which he/she retired as a Judge of the District Judiciary and the date on which he/she assumed charge as a Judge of the High Court;

(vi) In the case of a retired Judge of the High Court who has previously served in the District Judiciary and 61 who entered into the District Judiciary after the coming into force of the Contributory Pension Scheme or New Pension Scheme (NPS), the Union of India shall pay the full pension. Insofar as his/her contribution under the NPS is concerned, we direct the States to forthwith refund the entire amount contributed by such of the retired Judges of the High Court back to them along with the dividend, if any, accrued thereon. However, the contributions made by the State Governments shall be retained by the respective States

along with the dividend, if any, accrued thereon;

(vii) The Union of India shall pay family pension to the widow or family members of a Judge of the High Court who dies in harness irrespective of whether such a Judge of the High Court was a Permanent Judge of the High Court or Additional Judge of the High Court;

(viii) The Union of India shall pay gratuity to the widow or family members of a Judge of the High Court who dies in harness by adding 10 years period to the 62 period of service undergone by the said Judge irrespective of whether the minimum qualifying service as provided under clause (i) of sub-section (3) of Section 17A of HCJ Act had been completed or not;

(ix) The Union of India shall pay all allowances payable to a retired Judge of a High Court in accordance with the provisions of the HCJ Act and the same shall include Leave Encashment in accordance with Section 4A of HCJ Act, Commutation of Pensions in accordance with Section 19, Provident Fund under Section 20 of the HCJ Act, etc.; and

(x) It is further directed that all the arrears payable to the retired Judges of the High Court or their widow/family members shall be calculated in accordance with the aforesaid directions and the same shall be paid to them, along with interest calculated at the rate of 6% per annum from the date of their entitlement till the date of actual payment, within a period of 6 months from today.”

2. The Apex Court, while drawing curtains on the controversy, has directed compliance of its order within a period of six months, which are expiring on 19.11.2025.

3. This Court, accordingly, issues a writ of mandamus to the respondents to comply with the verdict and directions of the Apex Court rendered on 19.05.2025, latest by 19.11.2025.

4. The petition, accordingly, stands allowed to the extent as indicated above.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

06.08.2025
Ajay Prasher

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