



**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA**

**CWP No. 11842 of 2025
alongwith CWP Nos. 11856,
12016, 12030, 12056, 12200,
12240, 12410 and 12700 of
2025**

Decided on: 14.10.2025

1. CWP No. 11842/2025

Kanhya Lal		...Petitioner
	Versus	
H.R.T.C and others		Respondents.

2. CWP No. 11856/2025

Brij Lal Lohia		...Petitioner
	Versus	
H.R.T.C and others		Respondents.

3. CWP No. 12016/2025

Shakti Ram		...Petitioner
	Versus	
H.R.T.C and others		Respondents.

4. CWP No. 12030/2025

Hem Singh		...Petitioner
	Versus	
H.R.T.C and others		Respondents.

5. CWP No. 12056/2025

Devki Nandan		...Petitioner
	Versus	
H.R.T.C and others		Respondents.

6. CWP No. 12200/2025

Shyam Prasad Chatterji		...Petitioner
	Versus	
H.R.T.C and others		Respondents.

**7. CWP No. 12240/2025**

Subhash Chander Paul

...Petitioner

Versus

H.R.T.C and others

....Respondents.

8. CWP No. 12410/2025

Devi Ram

...Petitioner

Versus

H.R.T.C and others

....Respondents.

9. CWP No. 12700/2025

Jagdish Chand

...Petitioner

Versus

H.R.T.C and others

....Respondents.

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Coram**Ms. Justice Jyotsna Rewal Dua, Judge.****Whether approved for reporting?¹****For the petitioner(s):****Mr. Rakesh Kumar Dogra,
Advocate.****For the respondents:****Mr. Virender Singh Kanwar,
Advocate.**

Jyotsna Rewal Dua, J

In this bunch of writ petitions with common issues of facts and law, following order passed in the lead case (CWP No.11842/2025) on 24.07.2025 notices the gist of petitioners' grievances:-

¹ Whether reporters of the local papers may be allowed to see the judgment? yes



“Notice. Mr. Virender Singh Kanwar, Advocate, appears and waives service of notice on behalf of the respondents.

Taking into consideration the grievance of the petitioner, learned counsel for the respondents was directed in the forenoon session to have clear instructions regarding office memorandum dated 19.10.2024 (Annexure P-2), issued by the State Finance Department. As per the said memorandum, pre-2016 pensioners/family pensioners who have attained the age of 75 years or above are entitled to cumulative arrears and the balance arrears payable to this category of pensioners/family pensioners is to be treated as zero. The present petitioner, aged 82 years, prays for the release of pension arrears w.e.f. 01.01.2016 to 31.07.2024.

When the matter was taken up in the post-noon session, learned counsel for the respondents, save and except for placing on record an office order unrelated to the issue involved in the writ petition, could not furnish any meaningful instructions.

At his request, list the matter on 25.07.2025, to enable the respondents to place on record their stand by way of instructions.”

2. All the petitioners are pre-2016 pensioners/ family pensioners who have attained the age of 75 years or above. They have prayed for release of pension arrears w.e.f. 1.1.2016 to 31.07.2022. Prayer has been made on the basis of office memorandum dated 19.10.2024 issued by the State Finance Department. As per the said office memorandum, pre-2016 pensioners/ family pensioners having attained age of 75 years or above are entitled to cumulative arrears and balance arrears payable to those category of pensioners/ family pensioners is to be treated as zero.



Pursuant to the order passed in these writ petitions, the respondent-corporation placed on record its compliance in the form of affidavit of respondent No.1.

3. At this stage, learned counsel for the petitioner placed on record decision rendered by Hon'ble Division Bench in **Gyan Chand versus H.R.T.C and others.**² The petitioners therein were also pre-2016 retiree pensioners/ family pensioners above 75 years of age and had claimed their right for release of arrears on account of revision of pension/ family pension. The Hon'ble Division Bench inter alia held as under:-

"4. It is further case of the petitioners that the respondent-Corporation has adopted the pay-scale of Government and pension is also released on the basis of norms and qualifying service prescribed in CCS (Pension) Rules, but in case of petitioners, arrears are not being released in terms of office Memorandum dated 19.10.2024.

5. Order dated 28.07.2025 passed in similar matter, **CWP No.12055 of 2025** titled as **Duni Chand vs. HRTC and others** has also been relied upon by the petitioners, wherein after taking into consideration the submissions of learned counsel representing the respondent-Corporation, following order has been passed by learned Single Judge as under:-

"2. Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Mr. R.K.Dogra, learned counsel representing the petitioner, is that pension arrears w.e.f 01.01.2016 to 31.07.2024 have not been released, despite there being issuance of office memorandum dated 19.10.2024 by the Government of Himachal Pradesh, thereby approving release of all pension arrears to the

² CWP No. 9845 of 2023, decided on 24.09.2025 alongwith connected matters.



pensioners and family pensioners, who have attained the age of 75 years and above.

3. Since it is not in dispute that respondents-Corporation has adopted the pay scale of Government and pension is also released on the basis of norms and qualifying service prescribed in CCS Pension Rules, there appears to be no justification to delay the release of pension arrears for the period, as detailed hereinabove.

4. Mr. Raman Jamalta, learned counsel for the respondents, states that a meeting of the Board of Directors of the respondent-Corporation is scheduled to be convened on 29.07.2025, wherein decision on the aforesaid aspect, i.e. release of all pension arrears to pre-2016 pensioners/family pensioners, in light of office memorandum dated 19.10.2024, shall be taken.

5. In view of fair stand adopted by learned counsel for the respondent-Corporation, there appears to be no justification to keep the present petition alive and accordingly, the same is disposed of with a direction to the respondent-Corporation to ensure that decision with regard to release of all pension arrears to pre-2016 pensioners/family pensioners, in terms of office memorandum dated 19.10.2024, is positively taken by the Board of Directors on 29.07.2025 and thereafter arrears, if any, due to the petitioner should be released expeditiously, preferably within four months, failing which, respondent-Corporation would be liable to pay interest @ 6% per annum from the date amount of arrear fell due to the petitioner. Pending applications, if any, stand disposed of."

6. It is also undisputed that the petitioners are similarly situated to the petitioner in CWP No.12055 of 2025.

7. Learned counsel for the petitioners submits that in case similar directions are passed in these matters, the petitioners would be satisfied.

8. Taking into consideration the material before us, we are of the considered opinion that being similarly situated persons; the petitioners are also entitled for the similar relief.

9. Accordingly, the directions passed in aforesaid CWP No.12055 of 2025 shall be 'mutatis mutandis' applicable in the cases of the petitioners also for all intents and purposes.

10. In view of above, these petitions are disposed of with



directions to the respondent-Corporation to ensure that decision with regard to release of all pension arrears to pre-2016 pensioners/family pensioners, who are 75 years old or above, in terms of office memorandum dated 19.10.2024, is positively taken by the Board of Directors on 29.09.2025 and thereafter arrears, if any, due to the petitioners should be released expeditiously, preferably within four months, failing which, respondent-Corporation would be liable to pay interest @ 6% per annum from the date amount of arrear fell due to the petitioners.”

Learned counsel for the petitioners submitted that these writ petitions be also disposed of in terms of the above decision rendered in **Gian Chand**².

4. Taking into consideration the issues raised in these writ petitions and the decision rendered in **Gian Chand**², which in turn is based upon **Duni Chand versus H.R.T.C.**³, these writ petitions are disposed of with the observation that directions passed in **Duni Chand**³ shall be ‘mutatis mutandis’ applicable to the case of petitioners for all intent and purposes. The directions issued in **Gian Chand**² with regard to release of pension arrears to pre-2016 pensioners/ family pensioners who are 75 years or above in age in terms of office memorandum dated 19.10.2024 shall also be ‘mutatis mutandis’ applicable to the petitioners.

Pending miscellaneous application(s), if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

14th October, 2025_(yogesh)

³ CWP No. 12055 of 2025 decided on 28.07.2025