

CWP-22382-2026

CNR No:PHHC011153292026
2026:PHHC:100304**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-22382-2026
Date of Decision: 22.07.2026**ASHWANI KUMAR AND ANOTHER**

....Petitioners

VERSUS**STATE OF HARYANA AND OTHERS**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRARPresent : Mr. Anil Kumar Sharma, Advocate
for the petitioners.

Mr. Naveen Singh Panwar, DAG Haryana.

HARPREET SINGH BRAR, J. (Oral)

1. This Civil Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *Mandamus* directing the respondents to re-fix the pay of the petitioners by extending the benefit of Rule 21 of the Haryana Civil Services (Pay) Rules, 2016 (Annexure P-5) read with Rule 21 of the Haryana Civil Services (ACP) Rules, 2016 (Annexure P-6), and further directing the respondents to step up and re-fix the pay of the petitioners at par with their junior, Smt. Anita (Employee Code 023910), with effect from the date the pay anomaly arose,



along with all consequential benefits including annual increments, arrears, and interest.

2. Learned counsel for the petitioners, *inter alia*, contends that the petitioners, who were appointed as Lecturers on 30.03.1998 and promoted as Principals on 04.08.2021, are drawing lesser pay than their admittedly junior, Smt. Anita (Employee Code 023910), who was granted the benefit of the 3rd ACP and whose pay was fixed at a higher stage. It is submitted that such anomaly is liable to be removed by stepping up the pay of the petitioners in terms of Rule 21 of the Haryana Civil Services (Pay) Rules, 2016 read with Rule 21 of the Haryana Civil Services (ACP) Rules, 2016.

2.1. Learned counsel further submits that despite repeated representations and forwarding of the petitioners' cases for re-fixation of pay, the respondents have failed to take any decision. It is further contended that the issue is no longer *res integra*, as similarly situated employees had approached this Court by filing CWP No. 22713 of 2022, which was disposed of on 29.09.2022 and, pursuant to the subsequent proceedings in COCP No. 1064 of 2023, the respondents granted the benefit of pay re-fixation and arrears. Likewise, identical benefits have also been extended to Sh. Parmod Kumar, Sh. Naresh Kumar and others vide orders dated 31.07.2023 and 25.11.2023 (Annexures P-9 and P-10), yet the petitioners have been denied the same benefit without any justification. Even the legal



notice served by the petitioners has not evoked any response, thereby compelling them to approach this Court.

3. At this stage, learned counsel for the petitioners confines the prayer to the limited extent that the petitioners would be satisfied if their legal notice dated 01.04.2026 (Annexure P-13) is decided by respondent No.3/competent authority in the light of Annexures P-9 and P-10 by passing a speaking order within a time-bound period.

4. Notice of motion.

5. Learned State counsel, appearing on advanced notice, submits that he has no objection in case a direction is issued to the respondent No.3/competent authority for time-bound consideration and decision of the legal notice dated 01.04.2026 (Annexure P-13) of the petitioners by passing a speaking order.

6. Therefore, in view of the limited prayer made by learned counsel for the petitioners, respondent No.3/competent authority is directed to consider the legal notice dated 01.04.2026 (Annexure P-13) of the petitioner in the light of Annexures P-9 and P-10 and pass a speaking order, after affording them an opportunity to be heard, within a period of 02 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioners. Needless to say,



if the petitioners are found entitled to the relief sought, the same shall be granted forthwith by the respondent.

7. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

22.07.2026
parul verma

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No