

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 6129 of 2010 (O&M)

Date of Decision: 06.01.2015.

Major Singh & others

--Petitioners

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.S. Malik, Advocate for the petitioners.

Mr. D.S. Nalwa, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

The petitioners, who are members of the Indian Reserve Battalion and are presently stationed in Haryana, had raised a claim in the instant writ petition for the grant of detachment allowance pertaining to a period when they were deployed in the State of Jammu & Kashmir. Such claim was raised on the basis of parity with the members of C.R.P.F, who had also been deployed in the State of Jammu & Kashmir and were stated to be performing identical duties and had been granted such detachment allowance.

In the response filed to the writ petition on behalf of the State, a stand was taken that a proposal in such regard had been sent to the Govt. of Haryana and which was pending consideration. Accordingly, on 31.1.2013, this Court had directed that a final decision with regard to the claim of the detachment allowance be taken by the competent authority.

Learned State counsel has produced in Court today an order dated 21.11.2013, passed by the Additional Chief Secretary to Govt. Haryana, Department of Home in terms of which the claim of the petitioners

has been rejected. Copy of such order has been furnished to learned counsel appearing for the petitioners.

In the light of such factual position counsel prays for withdrawal of the instant petition with liberty to raise a challenge to the order dated 21.11.2013 on all such grounds that may be available, strictly in accordance with law.

Prayer is allowed.

Dismissed as withdrawn with the liberty, as prayed for.

(TEJINDER SINGH DHINDSA)
JUDGE

December 06, 2015.
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