

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

CWP No.3839 of 2016

Date of decision: 26.02.2016

Vijay Kumar and others

...Petitioners

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. J.L. Goyal, Advocate,
for the petitioners.

RITU BAHRI, J.

Petitioners are seeking direction to the respondents to re-fix their pay in accordance with the judgment passed by a Division Bench of this Court in CWP No.18438 of 2010, titled as **Subhash Chander and others Vs. State of Haryana and others**, 2013 (1) RSJ 1 (Annexure P-5) and LPA No.361 of 2014, titled as **State of Haryana and others Vs. Subhash Chander and others**, decided on 12.05.2014 (Annexure P-6).

This Court vide judgment dated 03.11.2012 (Annexure P-5) had quashed the order dated 14.06.2010, whereby reduction of the pay of petitioners had been made. It was further ordered that recovery, if any, effected from the petitioners on account of re-fixation of their pay on the basis of order dated 14.06.2010 (Annexure P-4) be refunded to the petitioners within a period of three months. LPA against the said order was dismissed vide order dated 12.05.2014 (Annexure P-6). In compliance with the orders dated 03.11.2012 and 12.05.2014 (Annexures P-5 and P-6) the Director General, Elementary Education-respondent No.2 issued a letter (Annexure P-

7) to all the District Elementary Education Officers in the State of Haryana, to comply with the aforesaid directions. A perusal of this letter shows that the direction was given to comply with the aforesaid orders subject to the outcome of the review application/SLP.

Learned counsel for the petitioner has informed the Court that against the above said orders, SLP has been filed, but there is no interim orders staying the operation of judgments (Annexure P-5 and P-6). Pursuant to these judgments, the petitioners have now been granted the benefit, but some other similarly situated persons have not been granted the said benefit. With regard to their grievance, the petitioners have sent legal notices (Annexures P-8 to P-16) to the respondents, but to no effect.

At this stage, this petition is disposed of by giving a direction to the respondents to look into the legal notices (Annexure P-8 to P-16) and pass speaking order thereon in accordance with law.

(RITU BAHRI)
JUDGE

26.02.2016
ajp