

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

249

CWP No.2388 of 2016 (O&M)

Date of Decision : 02.02.2017

Vijay Dhiman and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ramesh Malik, Advocate
for the petitioners.

Mr. Hitesh Pandit, Additional Advocate General, Haryana.

AJAY TEWARI, J. (Oral)

By this writ petition the petitioners have challenged the orders whereby their pay and allowances have been reduced.

Learned counsel for the petitioners states that though even on merits the order is wrong yet the fact is that order prejudicial to the petitioners have been issued without even hearing them. This specific averment has been made to this effect in para 5 of the writ petition and in the corresponding paragraph of the written statement this fact has not been denied and the order has been sought to be defended on merits.

In my considered opinion the primary argument of learned counsel for the petitioners has to prevail. Undoubtedly the civil rights of the petitioners were adversely affected when their pay was reduced and this has been done without issuing notice to them and considering their replies.

In the circumstances, the impugned orders are set aside. However liberty is granted to the respondents to move afresh in accordance with law.

Petition stands allowed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(**AJAY TEWARI**)
JUDGE

02.02.2017
pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No