

CM-5172-2017 in/and
CWP-755-2015 (O&M)

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HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-5172-2017 in/and
CWP-755-2015 (O&M)
Date of Decision: April 17, 2017

Kimat Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Harish Nain, Advocate
for the petitioners.

Mr.Vijesh Sharma, DAG, Haryana.

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SURYA KANT, J.

CM-5172-2017

For the reasons mentioned in the application, the same is
allowed. Annexure A/1 is taken on record.

With the consent of learned counsel for the parties, main case is
taken up on Board today for final disposal.

CM stands disposed of.

CWP-755-2015

The petitioners have laid challenge to the vires of provisions
contained in Haryana Transport Department (Group-C) Haryana Roadways

Service (Amendment) Rules, 2003 dated 04.08.2003 (P-1) the Haryana Transport Department (Group-C) Haryana Roadways Service (Amendment) Rules, 2004 dated 18.03.2004 (P-2) and Haryana Transport Department (Group-C) Haryana Roadways Service (Amendment) Rules, 2011 dated 03.03.2011 (P-3) whereunder the newly appointed Conductors in Haryana Roadways are denied the minimum regular pay scale.

[2] It is the conceded fact that identical controversy stands decided by a Division Bench of this Court on April 01, 2013 in CWP No.22516 of 2012 (**Mohinder Singh and others vs State of Haryana and others**) and other connected cases.

[3] The instant writ petition was admitted keeping in view the fact that above-cited decision of this Court had been challenged by State of Haryana before the Hon'ble Supreme Court.

[4] Civil Appeal Nos.7391-7395 of 2013 preferred by State of Haryana against the above-cited Division Bench judgment of this Court have been disposed of by the Hon'ble Supreme Court vide order dated January 31, 2017 with a direction to the following effect:-

“It is imperative for us, in exercise of our jurisdiction under Article 142 of the Constitution, to do complete justice in the matter. We feel ourselves persuaded, to direct the State Government, to pay arrears of wages, to all persons similarly situated as the private respondents herein, in consonance with the impugned judgment, with effect from 1.4.2013, this would include those employees who had not approached the High Court or this Court, as well as, those who had entered into a settlement with the State Government, agreeing to accept arrears only with effect from 1.1.2014.”

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[5] The petitioners are also thus, entitled to the relief as granted by
the Hon'ble Supreme Court, reproduced above..

[6] Ordered accordingly.

**(SURYA KANT)
JUDGE**

April 17, 2017
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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No