

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

**Civil Writ Petition No.27963 of 2017
Decided on : 08.12.2017**

Randhir Singh and others

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Ram Niwas Sharma, Advocate
for the petitioners.

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition is to the communication dated 20.11.2017 (Annexure P-9), whereby the respondent No.2 has issued directions as to how implementation is to be done of the judgment of the Apex Court passed in **Civil Appeal No.7391-7395 of 2013 'State of Haryana and others Vs. Mohinder Singh and others'** dated 31.01.2017 (Annexure P-6).

Admittedly, as per the said judgment the benefit is to be given regarding arrears of wages from 01.04.2013 (Annexure P-4), which was the day, the Division Bench of this Court decided the issue. It is not disputed that the petitioners have already been given the benefit of regularization from the date they were initially appointed vide order dated 02.06.2017 (Annexure P-7).

Resultantly, the argument raised by the counsel for the petitioners that the impugned communication as such would be contrary to the observations of the Apex Court, *prima facie* does not appeal to this

Court in any manner. No show cause notice has been issued to the petitioners in pursuance of the said instructions and neither any benefit has been withdrawn, which was granted vide letter dated 02.06.2017 (Annexure P-7), which was further followed up by letter dated 16.06.2017 (Annexure P-8), whereby the pay of the petitioners was re-fixed and it was noticed that arrears are to be paid as directed by the Apex Court.

In such circumstances, this Court is of the opinion that the writ petition is without any cause of action and, accordingly, the same is dismissed in limine. However, liberty is granted to the petitioners to approach this Court, in case respondents take any action on the impugned communication.

DECEMBER 08, 2017
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No