

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

Sr. No.112

Civil Writ Petition No.1045 of 2018
DECIDED ON: March 01, 2018

SUGAN CHAND AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Satyavir Singh Yadav, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of certiorari/Mandamus quashing the action of respondents, whereby the claim of the petitioners for refixation of their pay and pensionary benefits in terms of the decision of the Hon'ble Supreme Court dated 08.12.2015 rendered in Civil Appeal No.8661 of 2009 and 8703 of 2009 titled as *State of Haryana & ors. vs. R.K. Gupta & ors.* (P-9) implemented by the State of Haryana vide Circular Instructions dated 15.03.2017, 16.03.2017 and 28.03.2017 (P-11 to P-13) has been declined on the ground that the present petitioners were not party to the said judgment AND further directing the respondents to grant them benefit of adhoc relief along with interest @ 18% per annum.

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2. Learned counsel for the petitioners contends that various representations dated October 30, 2017 (P-16 to P-22) were made to the respondents but till date neither any reply to the said representations has been received nor any final order has been passed by the respondents. Further, they feel satisfied in case a direction is issued to respondents No.3 to 5 to decide the aforesaid representations (P-16 to P-22) in a time bound manner.

3. Instant petition is disposed of with a direction to respondents No.3 to 5 to look into the grievances unfolded by the petitioners in the aforesaid representations dated October 30, 2017 (P-16 to P-22) and take a conscious decision by passing a speaking order as per rules, regulations and instructions issued by the Government from time to time as well as in the light of the judgments passed in CWP No.16084 of 1997, captioned as ***Dharam Pal Singh vs. State of Haryana & ors.***, decided on July 27, 2000 (P-8) and ***R.K. Gupta's case (Supra)***, within a period of four months from the date of receipt of a certified copy of this order. In case, non compliance of this order, petitioners shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

March 01, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**