

CWP No. 13274 of 2018
DECIDED ON: JULY 30, 2018

RAMESH CHAND ARYA AND OTHERS

.....PETITIONERS

VERSUS

BOARD OF SCHOOL EDUCATION HARYANA BHIWANI & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226 of the Constitution of India, petitioners have sought the issuance of a writ in the nature mandamus directing the respondents to grant them pay scales at par with the pay scales admissible in Kurukshetra University as approved by the respondent-Board in its meeting held on 15.10.1993 (P-2) with all consequential benefits from the date other similar situated employees have been granted the benefits in compliance to directions issued by this Court vide judgment dated 18.02.2016 (P-9) passed in CWP No. 1402 of 2002 titled **J.R. Saluja and others vs. Board of School Education Haryana and others** and CWP No. 9079 of 2005, titled

H.C. Verma and others vs. State of Haryana and others with further direction to release the arrears of salary, pension, gratuity, leave encashment and commutation of pension along-with interest @18% per annum from the date it became due till its actual realization.

2. The contention of learned counsel for the petitioners is that in pursuance of order passed in CWP No. 1402 of 2002 and CWP No. 9079 of 2005, one of the petitioners namely Mr. Same Ram Panwar, preferred a joint representation on his behalf as well as on behalf of other petitioners on 17.04.2017 (P-14). The matter was taken up by the Board for decision and legal opinion was sought vide decision dated 07.10.2017 (P-15), which was duly received by the respondents vide letter dated 23.02.2018 (P-16) but subsequent thereto, no conscious decision has been taken by the respondents. At this juncture learned counsel for the petitioners submits that petitioners feel satisfied in case direction is issued to respondents to decide the aforesaid matter pending with the respondents, within a stipulated period.

3. Without expressing any opinion on the merits of the case but considering the afore-said aspects that the respondents are already seisin of the matter, instant petition is disposed of with the direction to respondents to look into the grievances unfolded by the petitioners in representation 17.04.2017 (Annexure P-14) and to decide the same in accordance with law, rules and regulations as well as in view of the judgments mentioned in para 1 of this order, within a period of six months from the date of receipt of certified copy of this order.

4. In case, the petitioners still feel aggrieved against any of the order(s) passed by the concerned authority, they shall be at liberty to have recourse to the other remedies available under law including filing of writ petition.

JULY 30, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*