

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

CWP No.2299 of 2016

Date of Order: 11.7.2018

Amin Khan

....Petitioner

Versus

State of Haryana and Others

....Respondents

CORAM: HON'BLE MR. JUSTICE RITU BAHRI

Present: Mr. Yash Pal Malik, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

RITU BAHRI, J (ORAL)

The petitioner is seeking direction to the respondents for considering his case of continuity of service without back wages from the date of relieving till the date of his reinstatement in service in view of circular dated 25.11.2002 (P.10) and guidelines dated 24.11.2003 (P.11).

It is stated that similar benefit has been extended to similarly situated employees.

Learned State counsel has produced a copy of order dated 11.7.2017 passed by the Additional Chief Secretary to Government of Haryana, School Education Department, Haryana, Chandigarh vide which the petitioner has been granted benefit of continuity in service w.e.f 15.1.1997. He states that no monetary benefit will be granted to the petitioner except continuity of service and his pay shall be re-fixed accordingly.

It is evident that while passing similar orders qua benefit of continuity of service, the pay of similar situated employees has also been re-fixed vide Annexures P.27 to P.31 though actual financial benefit has not

been extended by treating it as notional pay.

In these circumstances, present petition is disposed of by giving a direction to the respondents-State to re-fix the pay of the petitioner accordingly after granting the benefit of continuity of service w.e.f 15.1.1997 in terms of order dated 11.7.2017 within a period of six weeks from today.

July 11, 2018
manoj

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No