

CWP No. 24778 of 2018

DECIDED ON: SEPTEMBER 27, 2018

K L BUDHI RAJA AND ORS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Lekhraj Nandal, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition, preferred under Article 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of mandamus directing the respondents to fix their pay in view of judgment rendered by this Court in CWP No. 4518 of 2000, titled as **'R.K. Gupta and others vs. State of Haryana and others'** decided on 11.08.2003 (P-1), as the other employees/petitioners have been granted the benefit of the afore-said judgment in view of order dated 28.03.2017 (P-3) passed by Additional Chief Secretary to Government of Haryana as the petitioners are also similarly affected person and deserve the same benefit and also to re-fix their pay by restoring the deductions made from the payment of additional dearness allowance w.e.f. 01.05.1973 onward along-with arrears with further direction to

calculate and release the arrears in consequence of re-fixation of their pay along-with interest @ 18%.

2. At the very outset of arguments, learned counsel for the petitioners submits that he feels satisfied in case a direction is issued to respondent No.3 to decide the representation dated 10.11.2017 (P-10) in view of judgment referred to in para 1 of this order, within some time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.3 or any other competent officer to deal with the matter, to look into the grievances unfolded by the petitioners in their representation dated 10.11.2017 (P-10) and to take a conscious decision in accordance with law, rules and regulations, particularly in view of the judgment referred to in para 1 of this order, within a period of three months from the date of receipt of certified copy of this order.

4. However, in case petitioners still feel aggrieved by any order of the afore-said authority, they shall be at liberty to have recourse to other remedies available under law including to approach this Court.

SEPTEMBER 27, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No