

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

CWP-7767-2016

Date of Decision: March 15, 2018

Birender Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

and other connected matters, i.e. CWP-8365-2016, CWP-8963-2016, CWP-11853-2016, CWP-19939-2016, CWP-19355-2016, CWP-26329-2016, CWP-25177-2016, CWP-26127-2016, CWP-22563-2016, and CWP-10435-2014

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Namit Kumar, Advocate,
Dr. S.K. Redhu, Advocate,
Mr. Amit Kaith, Advocate,
Mr. Ravinder Malik, Advocate,
for the petitioner(s).

Mr. Hitesh Pandit, Addl. AG, Haryana.

ARUN PALLI, J. (ORAL)

Vide this order and judgment, I shall dispose of a batch of 11 petitions, for, the issue involved is common.

A few of the petitioners were appointed as Constable messengers/drivers etc. And, after they qualified the requisite test, they were re-designated as Constable Wireless Operators, which is a technical post. Whereas, rest of them were appointed Wireless Operators by way of direct recruitment. But, for the petitioners were not granted the 'technical scale', for the post they held, they approached this Court, vide **CWP No. 8401 of 2011 (Sumitra Devi and others v. State of Haryana and others) and**

other connected matters, which was allowed vide order and judgment,

dated 22.05.2012 (Annexure P-9), and they were held entitled to the technical scale, w.e.f. 01.05.1990. And, subsequently, after the petitioners became eligible, they were awarded ACP scale, from the date of their initial appointment, alongwith consequential benefits. But later, the respondents sought to withdraw the said benefit as regards few of the petitioners. For, the respondents were of the view; that benefit of ACP scale could only be granted w.e.f. 01.05.1990, and not from their initial entry into service, which necessitated filing of these petitions.

But, there indeed has been a significant development during the pendency of these petitions, for, the respondents have accepted the claim of the petitioners. And a decision has been reached to award ACP scale to the petitioners from the date of their initial appointments. In the case of few of the petitioners, even the necessary orders have since been passed. Learned State counsel submits; that formal orders as regards each of the petitioners shall be issued and communicated, within four weeks from today. And, the consequential benefits, if any, shall also be released. That being so, learned counsel for the petitioners submit that these petitions have been rendered infructuous, and be disposed of as such.

The petitions are accordingly disposed of in the above terms.

(ARUN PALLI)
JUDGE

March 15, 2018

P Kapoor

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO