

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

CWP-6960-2019

Date of decision: - 14.03.2019

Ram Kumar Sharma

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Surinder Singh Duhan, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which has been raised by the petitioner is that he is entitled for re-fixation of his pay in view of the orders of this Court passed in CWP No.16084 of 1997, CWP No.2757 of 1998 and CWP No.4518 of 2000, which have been upheld by the Hon'ble Supreme Court in Civil Appeal No.8661 of 2009, decided on 08.12.2015.

Counsel for the petitioner states that the relief has already been extended to the petitioners, who had filed the above-mentioned writ petitions, whereas, the representation submitted by the present petitioner

seeking the same relief, has been rejected on the ground that he had not approached any competent Court of Law for the redressal of his grievance and there is no order in his favour granting him the benefits, as granted to the petitioner(s) in the writ petitions allowed by this Court detailed above.

Notice of motion.

Mr. Charanjit Singh Bakhshi, Additional Advocate General, Haryana, accepts notice on behalf of the respondents.

Counsel for the respondents states that though in reply to the representation, the claim of the petitioner herein has been declined on the ground that he was not the petitioner in the writ petitions allowed by this Court detailed above and therefore, no benefit can be extended, but ignoring the said reply, the claim of the petitioner for the grant of relief as being claimed by him in his representation dated 03.10.2018 (Annexure P-7) will be decided on merits by passing an appropriate speaking order in view of the settled principle of law settled by this Court while deciding the abovesaid writ petitions, which decision has already been upheld up to the Hon'ble Supreme Court.

Keeping in view the undertaking given by counsel for the respondents, the present writ petition is disposed of with the direction to respondent No.1 to decide the representation dated 03.10.2018 (Annexure P-7), given by the petitioner, on merits in view of the settled principle of law, by passing the appropriate speaking order, within a period of three months from the date of receipt of certified copy of this order. In case it is found that the petitioner is entitled for any relief, the same shall also be released to him within a period of next three months.

It is made clear that this Court expresses no opinion on the merits of the case or entitlement of the petitioner in respect of the claim made in the writ petition/representation.

Present writ petition stands disposed of.

March 14, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No