

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

249-6

CWP No.13095 of 2017

Date of Decision : 09.05.2019

VINOD KUMAR AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

....RESPONDENTS

CORAM : HON'BLE MR. JUSTICE B.S. WALIA

Present: Mr. B.K. Bagri, Advocate for the petitioners.
Mrs. Shruti Jain Goyal, DAG, Haryana.

B.S. WALIA, J. (ORAL)

[1] Prayer in the petition is for the issuance of a writ in the nature of Mandamus directing the respondents to grant the benefit of selection grade of Rs.7500 – 12000/- w.e.f. 01.01.1996 instead of 01.08.2000.

[2] Learned Deputy Advocate General, Haryana, has produced copy of order dated 06.05.2019, passed by the Secretary to Government Haryana, School Education Department, Haryana, Panchkula/respondent No.1, granting the relief as has been claimed by petitioner No.29 i.e. selection grade of Rs.7500 – 12000/- w.e.f. 01.01.1996 in terms of the decision of this Court in CWP No.9347 of 2016 in case titled as '*Jagat Singh versus State of Haryana and others*', while restricting the benefit of arrears to 38 months, prior to the filing of the writ petition, where specific orders have been passed by the High Court. The order is taken on record. Copy thereof handed over to the learned counsel for the petitioners.

[3] Learned counsel prays that the order be clarified with regard to payment of arrears for a period of 38 months.

[4] Learned Deputy Advocate General states that in view of the selection grade having been granted to petitioner No.29 in terms of the decision of this Court in CWP No.9347 of 2016 in case titled as '*Jagat Singh versus State of Haryana and others*', where the arrears of pay was restricted to 38 months prior to the filing of the writ petition in respect of the claim for grant of selection grade w.e.f. 01.01.1996, arrears to the petitioners would also be paid on account of grant of selection grade w.e.f. 01.01.1996 for a period of 38 months prior to the filing of the writ petition. The same satisfies learned counsel for the petitioners.

[5] Learned Deputy Advocate General has also placed on record separate order dated 02.05.2019 vide which the claim as has been made by petitioner Nos.1 to 28 & 30 has been rejected. The same is taken on record. Copy thereof handed over to learned counsel for the petitioners, who states that in the circumstances, petitioner Nos.1 to 28 & 30 be granted permission to challenge order dated 02.05.2019, passed by the Secretary to Government Haryana, School Education Department, Haryana, Panchkula.

[6] Learned Deputy Advocate General, Haryana, states that she does not oppose the aforementioned prayer of the petitioners.

[7] Accordingly, writ petition is allowed qua petitioner No. 29 in terms of the position noted above while qua petitioner Nos.1 to 28 & 30 the writ petition is dismissed, with liberty to challenge Order No.13/41-2019 PGT-IV(3) dated 02.05.2019, passed by the Secretary to Government Haryana, School Education Department, Haryana, Panchkula/ respondent No.1.

(B.S. WALIA)
JUDGE

May 09, 2019
'Rajneesh'