

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-18685-2019

Date of decision: - 12.07.2019

Vijay Kumar Verma and others

....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Aman Chaudhary, Advocate
and Mr. Rajan S. Dadwal, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance which is being raised by the petitioners is that similarly situated employees were held entitled for a pay-scale of ₹13500-17250/- w.e.f. 01.01.1996 while deciding CWP No.10506 of 2002 tilted as '**Dr. K.L. Kumar and others Vs. State of Haryana and others**', on 06.10.2009 (Annexure P-6). The said judgment was upheld by the Division Bench of this Court in LPA No.930 of 2010, decided on 10.08.2018 (Annexure P-7).

Counsel for the petitioners argues that even the SLP filed against the said order has already been dismissed. Counsel further argues that thereafter, in the year 2019, a bunch of writ petition again came up for hearing before a Co-ordinate Bench of this Court for the grant of the

same benefit, as being granted to the petitioners in CWP No.10506 of 2002 tilted as 'Dr. K.L. Kumar and others Vs. State of Haryana and others', vide order dated 06.10.2009 (P-6) and those writ petitions were allowed by this Court, vide order dated 11.03.2019 (Annexure P-15) and the similarly situated employees as the petitioners herein were found entitled for a running pay scale of ₹13500-17250/- w.e.f. 01.01.1996.

Counsel for the petitioners submits that though the petitioners are similarly situated, but the benefit is not being extended to them on the ground that they have not approached the Competent Court of Law for the redressal of their grievance.

Counsel further submits that for the relief which has been claimed in the present writ petition, petitioners have submitted a detailed representation to the Chief Administrator Housing Board, Haryana Annexure P-14 and in the said representation, the petitioners have given all the details of the writ petition, wherein the similarly situated employees, as the petitioners herein, have been allowed the benefit of the pay-scale of ₹13500-17250 w.e.f. 01.01.1996. Counsel further states that the said representation is still pending consideration with respondent No.2 and petitioners will be satisfied at this stage in case a time bound direction is issued to respondent No.2 to decide the said representation keeping in view the settled principle of law, as noticed above and also the fact that same benefit has been granted to the similarly situated employees, by passing a speaking order.

Counsel for the petitioners argues that petitioners are also entitled for the interest as given by this Court while deciding a bunch of

writ petitions, on 11.03.2019 (Annexure P-15) wherein interest @ 8% per annum was allowed in favour of the similarly situated persons and the respondents be directed to consider the claim for grant of interest also, in view of the said order whereby said benefit is being extended to the similarly situated employees.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, respondent No.2 is directed to decide the representation Annexure P-14 filed by the petitioners and also grant of interest, if any, by passing a speaking order within a period of two months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

July 12, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No