

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

- 1. CWP No.15320 of 2018**
Date of decision: 22.05.2019

Krishan Kumar and others ... Petitioners

Versus

State of Haryana and others ... Respondents
- 2. CWP No.16759 of 2018**

Sanjeev Kumar and others ... Petitioners

Versus

State of Haryana and others ... Respondents
- 3. CWP No.18447 of 2018**

Ajeet Singh Chandeliya and others ... Petitioners

Versus

State of Haryana and others ... Respondents
- 4. CWP No.18448 of 2018**

Sandeep Kumar and others ... Petitioners

Versus

State of Haryana and others ... Respondents
- 5. CWP No.23859 of 2018**

Mange Ram and others ... Petitioners

Versus

State of Haryana and others ... Respondents
- 6. CWP No.24054 of 2018**

Vinay Kumar and others ... Petitioners

Versus

State of Haryana and others ... Respondents

7.

CWP No.26103 of 2018

Ashwani Singla and others

... Petitioners

Versus

State of Haryana and others

... Respondents

8.

CWP No.26375 of 2018

Surender Kumar and others

... Petitioners

Versus

State of Haryana and others

... Respondents

9.

CWP No.27765 of 2017

Harikesh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

10.

CWP No.27873 of 2018

Anil Kumar and others

... Petitioners

Versus

State of Haryana and others

... Respondents

11.

CWP No.27976 of 2018

Parkash Chander and others

... Petitioners

Versus

State of Haryana and others

... Respondents

12.

CWP No.31712 of 2018

Mohinder Singh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

13.

CWP No.37949 of 2018

Parsu Ram and others

... Petitioners

Versus

State of Haryana and others

... Respondents

14.

CWP No.5863 of 2019

Ramesh Kumar and others

... Petitioners

Versus

State of Haryana and others

... Respondents

15.

CWP No.27040 of 2018

Ankur Chhabra and others

... Petitioners

Versus

State of Haryana and others

... Respondents

16.

CWP No.29284 of 2018

Piyush Makkar and others

... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Anurag Goyal, Advocate;
Mr. Anil Kumar Sharma, Advocate;
Mr. S.K. Malik, Advocate; and
Mr. Lalit Rishi, Advocate
for the petitioners.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

KRISHNA MURARI, C.J. (Oral)

In this bunch of writ petitions, instructions dated 18.08.2009,
01.06.2010, 16.12.2010 & 29.07.2011, incorporating amendment in the

Haryana Civil Services (Revised Pay) Rules, 2008, in respect of different cadre of service in the State of Haryana, are under challenge on the ground that by instructions amendment could not be brought in the Rules framed in exercise of powers conferred by Article 309 of the Constitution of India. Subsequently, an amendment has been incorporated in the said Rules vide instructions dated 07.02.2019. The vires of said amendment carried out in the Rules is under challenge in CWP No.12052 of 2019 (**Samunder Singh & others v. State of Haryana**).

Shri Deepak Balyan, learned Additional Advocate General, Haryana, on the basis of the written instructions from Additional Chief Secretary to Government of Haryana, Finance Department, states that after the amendment carried out in the Rule itself, the instructions have lost their efficacy and are no more enforceable and on account of that these petitions challenging the said instructions are rendered infructuous. The copies of the instructions passed on to us are taken on record of the petitions.

Learned counsel for the petitioners in this bunch does not dispute either the factual position or the legal proposition that on account of amendment carried out in the Rule itself these petitions challenging the aforesaid instructions are rendered infructuous.

Accordingly, the writ petitions bearing CWP Nos. 27765 of 2017; 15320, 16759, 18447, 18448, 23859, 24054, 26375, 27873, 27976, 31712, 37949, 27040 & 29284 of 2018; and 5863 of 2019, are rendered infructuous and stand dismissed as such.

We are also informed at the Bar that a large number of other writ petitions involving identical issue are pending for different dates.

Office is directed to club all such petitions wherein identical issue in respect of the instructions dated 18.08.2009, 01.06.2010, 16.12.2010 & 29.07.2011 is pending and list the same before us on 24.05.2019.

Office to also inform the learned counsel for the parties of those writ petitions about the next date fixed.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

22.05.2019
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO