

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

(208)

CWP-9140-2016

Date of Decision: October 04, 2019

Pawan Kumar and others

.. Petitioners

Versus

D.H.B.V.N and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ram Niwas Sharma, Advocate, for the petitioners.

Mr. Hitesh Pandit, Advocate, for the respondents.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which is being raised by the petitioners is that the pay of the petitioners has not been fixed rightly under Rule 13 of the Haryana Civil Services (Revised Pay) Rules, 2008.

Learned counsel for the petitioners argues that the pay of the petitioners was fixed at Rs.13,100/- whereas keeping in view the provisions of 2009 Rules, the minimum pay under the revised pay scale should have been Rs.14,960/- and therefore, counsel for the petitioners prays that the petitioners are entitled for the said fixation of pay under 2009 Rules.

Despite various opportunities, no reply has been filed by the respondents so far.

Today, learned counsel for the respondents states that the State of Haryana had issued instructions on 10.07.2018 stating how the pay of the persons is to be fixed under Rule 13 of the Haryana Civil Services (Revised Pay) Rules, 2008 and the employees were to be given option to re-exercise their option and keeping in view the said letter, the pay of the petitioner has already been refixed and even the arrears also granted.

Learned counsel for the petitioners pleads ignorance about the grant of the said benefit and states that he has no information about the grant of the benefit to the petitioners as being prayed in the present writ petition but in case, counsel for the respondents makes a statement that the benefit as being claimed in the present writ petition has already been granted to the petitioner, the present writ petition may be disposed of having been rendered infructuous.

Learned counsel for the respondents states that once the Revised Pay Rules have been adopted and keeping in view the clarification as to how the pay is to be fixed under Rule 13 of the Haryana Civil Services (Revised Pay) Rules, 2008, the benefit is to be extended to all including the petitioners and in case, the same has not already been extended, it will be extended within a period of one month from the receipt of certified copy of this order.

Learned counsel for the petitioners prays that keeping in view the statement given by learned counsel for the respondents, the present writ petition may be disposed of having been not pressed.

In view of the above, the present writ petition is disposed of having been not pressed.

(HARSIMRAN SINGH SETHI)
JUDGE

October 04, 2019
harsha

Whether speaking/reasoned: Yes
Whether reportable: No