

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

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**CWP-8818-2017 (O&M)
Date of Decision: 02.12.2019.**

Budh Ram and others

....Petitioners.

Versus

State of Haryana and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present: Mr. Swarn Sandhir, Advocate for
Ms. Monika Jalota, Advocate
for the petitioner.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana.

Girish Agnihotri, J. (Oral)

Present writ petition has been filed by the petitioners with the prayer inter alia to quash the order dated 01.09.2015 (Annexure P2), whereby application for grant of minimum wages under Section 33-C (2) of Industrial Disputes Act, filed by the petitioners, has been dismissed by respondent No.5.

In this writ petition, the petitioners had relied upon the Single Bench Judgment of this Court in **CWP-23769-2014-'State of Haryana and others Vs. Suresh Kumar and others**, decided on 13.01.2017.

In para No.2 of the written statement of respondents No.1 to 4, it was mentioned that against the judgment Annexure P-3 i.e. CWP-23769 of 2014, LPA No.1098-2017 was preferred.

Today in the resumed hearing, counsel for the petitioners relied upon copy of the judgment dated 20.02.2019 passed in LPA No.1098-2017 disposed of along with LPA-1273-2018. It is submitted that the present writ petition can be disposed of in the same terms as in the judgment dated 20.02.2019.

Learned counsel for the petitioners, therefore, prays that the present writ petition be disposed of in terms of the judgment dated 20.02.2019 as per directions issued in the said judgment.

The directions in the judgment dated 20.02.2019 are reproduced hereunder for ready reference:-

“Subsequently, learned Advocate General, Haryana made a request to grant time to enable the State Government to examine the matter and to take a reasoned decision in accordance with law. On number of occasions the proceedings were adjourned for the purpose. Today, an affidavit of the Director Elementary Education, Haryana, Panchkula, has been filed wherein it is stated that the State Government has finally decided that all the 4288 Chowkidars will be given honorarium at par with Revenue Chowkidars. It may be relevant to reproduce the following from the said affidavit:

Therefore, the State Government has finally decided that the 4288 chowkidars will be given honorarium at par with Revenue chowkidars since their engagements was on the basis of the honorarium, not appointed to any civil post but only to meet out the local needs for specific purposes and accordingly the arrears amount was calculated which came around Rs.105,58,89,984/- (One Hundred and Five Crore, Fifty Eight Lakh, Eighty Nine Thousand Nine Hundred Eighty Four only) from June 2011 till 18.02.2019. Thus, the EDUSAT Chowkidars can be paid on the pattern of

Revenue Department as follows:-

Sr No.	Date	Honorarium (Monthly)	Uniform Allowance (Yearly)	Lathi Batory Allowance (yearly)
01	01.11.1996	400	250	-
02	1997	400	500	-
03	01.03.2006	1000	1000	250
04	01.04.2009	1500	1500	500
05	01.01.2011	2000	1500	500
06	01.04.2013	2500	2000	750
07	01.01.2014	3500	2000	750
08	01.04.2018	7000	2500	1000

The copy of this affidavit have been duly served upon the learned counsel for the respondents who after gone through the contents stated that they are fully satisfied with the decision taken by the State Government and with the consent of the learned counsel for the parties the order passed by the learned Single Judge stands modified to the extent that in view of the decision taken by the State Government the payments to the respondents herein shall be made in terms thereof. These intra Court appeals stand disposed of in terms noted hereinabove with the consent of the learned counsel for the parties.”

In view of the above, the present writ petition is disposed of with the same directions as given in the aforementioned judgment dated 20.02.2019 passed by this Court in LPA No.1098 of 2017 which was disposed of alongwith LPA No.1273 of 2018.

(Girish Agnihotri)
Judge

02.12.2019
komal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No