

116 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Writ Petition No. 4898 of 2020

Date of Decision: February 25 , 2020.

Sanjay Kumar and another

..... petitionrs

Versus

State of Haryana and another

..... respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Rajpal Singh, Advocate for
Mr. Johan Kumar, Advocate
for the petitioners.

LISA GILL, J.

The petitioners seek compensation to the tune of ₹25 lakhs each on the ground that they were unnecessarily involved in litigation by the respondents i.e. State of Haryana and Municipal Corporation, Faridabad with the litigation being ultimately decided in favour of the petitioners on 30.07.2015 (Annexure P3). The petitioners further seek initiation of disciplinary proceedings against the concerned employees who perpetuated the litigation.

Brief facts necessary for the adjudication of the matter are that the petitioners were appointed as Sweepers with the respondent – Corporation on daily wages in the year 1994. They were not granted regular pay scales and this action was challenged by them by way of filing CWP No. 2000 of 2001 alongwith other similarly situated employees. During the pendency of the said writ petition, another colleague of the petitioners who had filed a civil suit was afforded the relief , which was upheld upto the Hon'ble Supreme Court. CWP No. 2000 of 2001 was withdrawn by the petitioners on 02.05.2012 with liberty to file afresh on the same cause of action. CWP No. 8245 of 2012 was thereafter filed, which was ultimately

decided on 30.07.2015 in favour of the petitioners. Respondents were directed to release the regular pay scales to the petitioners alongwith the necessary revisions from time to time. Arrears were directed to be paid within six months from the date of receipt of certified copy of this order, failing which the petitioners were held entitled to interest at the rate of 8%.

Learned counsel for the petitioners fairly submits that in the writ petition filed by the present petitioners alongwith others, no such prayer for compensation, damages etc. was made. There is no allegation of any malafides on the part of any of the officials who allegedly forced the petitioners into litigation.

Learned counsel for the petitioners is unable to point out any ground whatsoever which entitles them to file the present writ petition seeking compensation and initiation of disciplinary proceedings against the employees, who have not even been named or pointed out in this writ petition.

No other argument has been raised.

This writ petition is, accordingly, dismissed being devoid of any merit with no order as to costs.

February 25, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No