

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

DATE OF DECISION: 24.02.2020

1. CWP NO. 8836 OF 1994 (O&M)

JAIBIR SINGH AND ANOTHER

...PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

2. CWP NO. 7852 OF 1995 (O&M)

SHER SINGH AND OTHERS

...PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Abha Rathore, Advocate
for the petitioners.

Mr. Hitesh Pandit, Addl. AG, Haryana.

Ritu Bahri, J. (Oral)

This order shall dispose of above said two petitions with common order.

Petitioners are seeking quashing of order passed by the respondents (Annexures P-15 and 16) whereby the pay scale granted to the petitioners has been withdrawn and recovery is being affected by impugned orders (Annexures P-15 and P-16).

When notice of motion was passed in CWP No. 7852 of 1995 on 31.05.1995, the reduction of pay of the petitioners was stayed.

Learned counsel for the petitioner has referred to the order passed in **CWP No. 7909-1994** titled as **Narinder Singh and others Versus State of Haryana and others** decided on 12.12.2014. Similar writ petition is pending which has been disposed of on 12.12.2014 whereby the respondents are directed to re-consider the claim of the petitioners. She further submits that this case is fully covered by the judgment of this Court in **CWP No.6473 of 1992 “The All Haryana ITI Diploma Holders Welfare Association and others versus State of Haryana and others”** decided on 03.02.2014 wherein this Court has held as under: -

“In the light of the peculiar facts and circumstances of the present case and also keeping in view the fact that writ petition is pending since the year 1994 with the favourable order of stay in favour of the petitioners, the writ petition is disposed of with directions to the respondents to re-consider the claim of the petitioners, as made in the present writ petition and pass an appropriate order in accordance with law within a period of four months. Even if order against the interest of the petitioners is finally passed by the respondents, no recovery shall be effected from the petitioners in pursuance of the impugned orders.”

The present writ petition is being disposed of by giving directions to the respondents to reconsider the case of the petitioner in view of the above mentioned judgement. No recovery is to be made.

24th February, 2020

shabha

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No