

IOIN-CWP No.5398 of 1998 in
CWP No.5398 of 1998

Vinod Kumar and another

Vs.

CCS Haryana Agriculture University, Hisar through its Vice Chancellor and
others

Present: Mr. Subhash Ahuja, Advocate for the petitioners.

Mr. Vijay Singh, Advocate for respondent Nos.1 and 2.

Mr. Harish Rathee, Sr. DAG, Haryana.

CWP No.5398 of 1998, in which the petitioners had sought directions to the respondents to grant the benefit of revised pay scale of Rs.1200-2040 w.e.f. 01.05.1990 instead 19.06.1997, was allowed vide order dated 17.05.2016 and the respondents were directed to grant modified pay scale of Rs.1200-2040 with arrears to be restricted to 38 months prior to the date of filing of the writ petition. It was further directed that the respondents would calculate the amount and pay the same to the petitioners as per entitlement within a period of four months and thereafter submit compliance report to the Court. On account of failure of the respondents to comply with the operative part of order dated 17.05.2016, IOIN has been put up by the Registry, wherein notice was issued for 23.02.2017. It needs noticing here that LPA No.414 of 2017 against decision dated 17.05.2016 was dismissed by the Division Bench vide order dated 05.07.2018. Likewise, SLP filed against the decision of the Division Bench was dismissed by the Supreme Court on 14.12.2018.

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Pursuant thereto, payment to the petitioners as per their entitlement was made in terms of order of this Court dated 17.05.2016. However, the same was made after a delay of more than three years from the date of order.

Learned counsel for the petitioners states that in the circumstances, the petitioners be permitted to avail of their remedy for grant of interest on the delayed payment in accordance with law.

Accordingly, while disposing of IOIN, liberty is granted to the petitioners to avail remedy qua their claim for payment of interest in respect of the delayed payment, in accordance with law.

(B.S. Walia)
Judge

13.03.2020.
rajesh.k.khurana