

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

CWP No.21911 of 2016 (O&M)

Date of decision: 13.01.2020

Hans Ram

....Petitioner

Versus

The State of Haryana and others

...Respondents

CWP No.22077 of 2016

Savita Dhanda

....Petitioner

Versus

The State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice B.S. Walia

Present: Mr. Jagbir Malik, Advocate and Mrs. Santosh Malik, Advocate
for the petitioner(s).

Ms. Kirti Singh, DAG, Haryana.

Mr. GPS Bal, Advocate for respondent Nos.3 and 4-Chaudhary
Devi Lal University.

Mr. Amit Rao, Advocate for Mr. Anurag Goyal, Advocate for
respondent No.5-Maharshi Dayanand University.

B.S. Walia, J. (Oral)

This order shall decide CWP Nos.21911 and 22077 of 2016 as
the point in issue in both the cases is same.

2. Prayer in the writ petitions is for the issuance of a writ of
Certiorari for quashing the action of the respondents vide which the claim of
the petitioners for grant of pay scale of ₹15600-39100+6000 GP from the
date of joining has been rejected orally and further for the issuance of a writ
of mandamus for directing the respondents to grant pay scale of ₹15600-
39100+6000 GP from the date of joining of the petitioners alongwith all

consequential benefits in view of decision Annexure P-15 dated 22.07.2014 of the Government which has been implemented by respondent No.5-University qua their coaches.

3. Learned counsel for the petitioners states that the grievance which is the subject matter of the writ petitions has been addressed by the State Government pursuant to representation submitted by the petitioners in CWP No.7631 of 2014 and decision Annexure P-15 dated 13.11.2014 was taken accepting the claim of the petitioners in CWP No.7631 of 2014. Learned counsel for the petitioners states that grievance of the petitioners in the instant writ petitions is also the same and in view of the decision of the Coordinate Bench of this Court Annexure P-4 dated 02.11.1999 as well Division Bench in LPA Annexure P-5 dated 24.07.2000, there can be no distinction qua pay scale payable to coaches in different universities in the State of Haryana therefore, the petitioners are entitled to the grant of the pay scale prayed for in terms of decision Annexure P-15 as well decisions of this Court Annexures P-4 and P-5.

4. Learned counsel for the petitioners states that the petitioners would be satisfied, if the writ petitions are disposed of by directing respondent Nos.3 and 4 to consider and decide the claim of the petitioners as is the subject matter of the writ petitions in accordance with the decision Annexure P-15 dated 22.07.2014 as well as the decision of this Court Annexures P-4 and P-5.

5. Learned counsel for respondent Nos.3 and 4 states that he has no objection to the limited prayer of the petitioners.

6. Without commenting upon the merits of the controversy or the entitlement of the petitioners to the relief claimed, the writ petitions are disposed of by directing respondent Nos.3 and 4 to consider and decide the claim of the petitioners in terms of order Annexure P-15 dated 22.07.2014 as well as the decision relied upon i.e. Annexures P-4 and P-5 in case the same are applicable within a period of three months from the date of receipt of certified copy of this order. In case the petitioners are found entitled to the benefits claimed, the same be released to the petitioners in accordance with law within a period of one month thereafter.

January 13, 2020
ps

(B.S. WALIA)
JUDGE

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