

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

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IN VIRTUAL COURT

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CWP No.15325 of 2021 (O&M)

Date of Decision: 12.08.2021

Shyam Lal Arya

..... Petitioner

V/s.

State of Haryana and Others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Nipun Verma, Advocate
for the petitioner.

Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India seeking issuance of a writ in the nature of Certiorari quashing the order dated 24.03.2020 (Annexure P-8), rejecting the application of the petitioner qua pay parity, granted to the Chemists of his own Department w.e.f. 01.06.1996 (notional from the notification of Rules) and actual w.e.f. 18.11.2015, (date of decision of case bearing No. CWP-13458 of 1994). Further prayer of the petitioner is for issuance of a writ in the nature of Mandamus directing the respondents to grant the same pay scale as granted to some of the officials, who are the petitioners in CWP No.13458 of 1994 and are stated to be junior to the petitioner in the present writ petition.

At the outset, counsel for the petitioner submits that the petitioner would be satisfied if the respondents reconsidered the claim of the petitioner in view of the fact that similarly situated persons have already

been granted similar benefits pursuant to the order passed by this Court in some other cases; within a time frame.

Notice of motion.

Mr. Harish Rathee, DAG, Haryana accepts notice on behalf of respondents. Even counsel for the respondents is not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.2 to reconsider the claim of the petitioner in view of the fact that similarly situated persons have already been granted similar benefits pursuant to the order passed by this Court in some other cases; and take a conscious decision thereon by passing a speaking order; within a period of 3 months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of 3 months; from the date of such conscious decision of the authorities.

12th August, 2021

Sonia Puri/Ashwani

(RAJBIR SEHRAWAT)
JUDGE

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