

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

CWP-5436-2002 (O&M)

Date of decision: October 11, 2022

Raj Kumar and others

....Petitioners

versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. R.K.S. Brar, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of an appropriate writ in the nature of Mandamus directing the respondents to grant minimum of the pay-scale along with allowances as admissible being paid to the regular employees holding similar post on the principle of “equal pay for equal work” including arrears of salary/ pay for the last three years.

2. Matter was taken up for hearing on 21.09.2022, when the following order was passed:

“Learned counsel, who had filed the writ petition has been since elevated to the Bench of this Court, it appears that petitioners are not aware of the listing of this case, as is borne out from the order-sheets none has been appearing even on the previous two occasions when the case was called out. However, prior thereto Mr. Ankit Gupta, Advocate had caused appearance for them.

Registry to issue notice to the learned counsel to ascertain, if the petitioners are interested to prosecute the instant petition or they have lost interest on the same by sheer long pendency, as the petition was filed way-back in 2002 seeking equal pay for equal work. It may have so happened that during pendency of the proceedings, either they have been regularized in the Department or their services may have dispensed with since they were daily

wagers. Learned State counsel to also ascertain the status of employment of the petitioners from the Department. No useful purpose would be served to issue notice to the petitioners since there are no particulars provided qua their addresses in the Memo of Parties, other than their names and the office in which they were working at the relevant time.

Post it on 11.10.2022.”

3. *Apropos*, none appears today. On a Court query, learned State counsel upon instructions from Virender Kumar, SDE, PHESD No.4, Panipat submits that the services of the petitioner have been regularized w.e.f. 01.10.2003. In respect thereof, he has tendered a copy of an office order dated 18.06.2004, which has been taken on record and marked as Annexure ‘A’. In the premise, it appears that the petitioners have lost interest in prosecuting the instant petition by sheer efflux of time. That is why perhaps none appears on behalf of the petitioners despite notice to the learned counsel for the petitioners.

4. Be that as it may, writ petition is disposed of as infructuous with liberty to the petitioners to move appropriate application in case any cause of action still survives.

5. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

October 11, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No