

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(224-A)

CWP-11616-2017 (O&M)

Date of Decision : July 27, 2022

Kanwar Singh and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Molly Lakhanpal, Advocate, for
Mr. Ranjan Lakhanpal, Advocate, for the petitioners.

Mr. R.S. Budhwar, Addl. A.G., Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-13893-CWP-2017

Present application has been filed for placing on record the additional affidavit of the petitioner.

Keeping in view the averments made in the application, the same is allowed and additional affidavit of the petitioner is taken on record.

CM-13919-CWP-2017 and CM-18236-CWP-2017

Learned counsel for the applicant-petitioners does not wish to press the present applications and the same may kindly be disposed of as such.

Ordered accordingly.

CWP-11616-2017

In the present petition, the grievance of the petitioners is that they are working as Extension Lecturers but they are not being paid salary

as per their entitlement.

Learned counsel for the petitioners argues that further grievance of the petitioners is that during the vacation, in order to save the salary admissible to the petitioners, the petitioners are relieved from service so as to join again after vacation, which is not permissible keeping in view the settled principle of law settled by the Hon'ble Supreme Court of India in ***Writ Petition No.4600 of 1983 titled as Rattan Lal and others versus State of Haryana and others, decided on 16.08.1985.***

Learned counsel for the petitioners further argues that the respondents be directed to grant the petitioners the salary, which is being paid to other similarly situated Extension Lecturers w.e.f. the date the petitioners became entitled for the said benefit along with the arrears.

Learned counsel for the respondents submits that the claim of the petitioners as noticed hereinbefore, will be considered by the competent authority and appropriate order will be passed within a period of eight weeks. In case, after the decision, the petitioners are found entitled for any relief, which has not been extended to the petitioners so far, the same will be released to the petitioners within a further period of four weeks.

Learned counsel for the petitioners submits that though, the claim of the petitioners as raised in the present writ petition, stands satisfied as of now but in case, after the decision on the claim of the petitioners, the petitioners still have any grievance, the petitioners be given liberty to agitate the same before the appropriate forum.

Keeping in view the above, the present writ petition is disposed of with a direction to the respondents to decide the claim of the petitioners with regard to the grant of salary as admissible to them, which is being

extended to the similarly situated Extension Lecturers, which have been given to them as per the instructions issued and whether, the petitioners needs to be relieved from service during the vacation or not, by passing an appropriate speaking order within a period of eight weeks of the receipt of the copy of this order. As undertaken by the learned State counsel, in case, the petitioners are found entitled for any relief, the same be also extended to them within a further period of four weeks.

It is made clear that petitioners will have the liberty to avail appropriate remedy in case petitioners feel aggrieved in respect of the speaking order which the respondent will pass now.

Present petition is disposed of in above terms.

July 27, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No