

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

CWP-3095-2017 (O&M)

Date of decision: August 22, 2022

B.K. Gupta and others

....Petitioners

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. S.K. Malik, Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing letter dated 29.12.1995 (Annexure P-8) issued by respondent No.1 and order dated 14.12.2012 (Annexure P-7) issued by respondent No.3 whereby claim of the petitioners for Higher Standard Scale of Rs.2,000-3,200/- and Rs.2,000-3,500/- respectively has been rejected. Further a direction has been sought to the respondents to grant the Higher Standard Pay Scale to the petitioner by taking into consideration the pay-scale of Rs.1,640-2,900/2,000-3,200/- with effect from 01.01.1986 and to release all consequential benefits to the petitioners by taking into consideration the Higher Standard Scale of Rs.2,000-60-2,300-75-3,200/- on completion of 10 years or more and pay scale of Rs.2,000-60-2,300-75-2,900-EB-100-3,500/- on completion of 20 years or more service as notified vide Finance Department letter dated 08.02.1994 (Annexure P-4).

2. In course of hearing learned State counsel has handed over a letter dated 15.12.2017 issued by the Additional Chief Secretary to Govt. Haryana, Finance Department. The same is taken on record and marked as Annexure 'A'. Relevant of the same is extracted herein below:-

*“(Similar situated cases i.e. CWP No.5538, 7770 of 2016, 3095 of 2017 clubbed with CWP No.166 of 2015)
Extending of benefit of 1st HSS of Rs.200-3200 and 2nd HSS of 2000-3500 to JEs of three wings of PWDs.
Generalizing the decision of CWP No.3379 of 2017 Balwan Singh Sahu Vs. State of Haryana (Case of PW (B&R) department).
Administrative Department are advised to take action as per FD’s advised given to PW (B&R) Department vide UO No.6/24/2017-8PR (FD) dated 20.09.2017 (copy enclosed) provided that the facts & circumstances of the pending cases are exactly the same as that of Balwan Singh Sahu’s case.”*

Learned counsel for the petitioners thus argues that appropriate administrative orders have already been passed accepting the claim of the petitioners. However, the same is still not being implemented.

3. Be that as it may, nothing survives for adjudication before this Court and writ petition is accordingly disposed of with the expectation that further steps to implement the aforesaid administrative decision shall be taken as expeditiously as possible, but not later than two months from today.

(ARUN MONGA)
JUDGE

August 22, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No