

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CWP-2110-2002

Date of decision:- 13.01.2023

Jagdish Chander and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. R.N. Lohan, Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant pay scale of Rs.4000-6000 to the petitioners as are being being paid to the Drivers working on regular basis in the Haryana Roadways with effect from the date of their appointment with all consequential benefits.

Written statement has been filed on behalf of General Manager, Haryana Roadways, Chandigarh Depot on behalf of respondents No. 1 to 3 wherein it has been submitted as under:-

“6. *That thereafter, the Director General, State Transport Haryana, Chandigarh has issued letter no. 20/178-2017/A2/E3 dated 29.05.2017 and Memo no. 20/156-2017/A2/E3 dated 20.11.2017 (A copy of letter dated 29.05.2017 & 20.11.2017 is annexed herewith as **Annexure R-2 & Annexure R-3**) and in compliance of the abovesaid letters, the petitioners have been granted the minimum of the regular pay Scale without any other*

allowances including increments from the date of their initial appointment/joining on contractual basis in the Drivers pay scale of Rs.4000-6000 and their date of initial appointment on contractual basis shall not be treated as regular date of appointment. In the meantime, most of the petitioners were transferred from this depot to various other depots. Accordingly, regular pay scale has been granted to all the petitioners who were working in this depot and another (sic others) depots have also granted the minimum pay scale i.e. 4000-6000 to the employees from the date of their initial appointment notionally.

7. That it is pertinent to mention here that petitioner no. 6 has been terminated vide order 24.12.2002 and it is further submitted that the record of petitioners no. 32 and 33 has not been traced despite making best efforts by the answering respondents.”

Despite the specific stand taken by the respondents, counsel for the petitioners submits that the petitioners have not been granted the benefit to which they are entitled.

In view of the above, writ petition is disposed of. However, liberty is granted to the petitioners to submit an appropriate representation before the authorities, in case, payment has not been made.

13.01.2023
Harish Kumar

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No