

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Writ Petition No.13245 of 2017

Date of Decision: *January 25, 2023*

Ram Karan and another

.....PETITIONERS

Vs.

State of Haryana & others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr.Durga Dutt Sharma, Advocate for petitioner No.1.

Mr.Aditya Yadav and Mr.Arpit Yadav, Advocates for
petitioner No.2.

Mr. Harish Rathee, Senior DAG, Haryana.

Suvir Sehgal, J (Oral)

The petitioners have approached this Court under Article 226 and 227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to decide representation dated 18.04.2017 Annexure P-1 whereby they have requested for grant of minimum wages as are being paid to the regular employees of the Government and for regularisation of their services as per Rules.

Writ petition has been contested by the respondents.

Learned counsel submits that the issue stands settled by the Hon'ble Supreme Court in *State of Punjab Versus Jagjit Singh 2016(4) SCT 641*.

Mr.Rathee, on the other hand, submits that pursuant to an interim order passed by this Court both the claims of the petitioners have been rejected vide order dated 11.10.2017. He submits that this order finds

mention in para 8 of the preliminary submissions, but could not be appended with the reply. He has filed a copy of the same, which is taken on record as Annexure R-4.

Heard learned counsel for the parties.

A perusal of order dated 11.10.2017 Annexure R-4 passed by the respondents shows that the official respondents have not even adverted to the judgment of the Supreme Court in ***Jagjit Singh's case (supra)***. On this sole premise alone, the said order cannot be sustained.

Accordingly, order dated 11.10.2017, Annexure R-4, is set aside. Writ petition is disposed of with a direction to the respondents to pass a fresh order keeping in view the directions given by the Supreme Court in ***Jagjit Singh's case (supra)***.

Insofar as the second claim of the petitioner is concerned, liberty is granted to the respondents to decide the same after the decision of Hon'ble Supreme Court in ***SLP (C) No.31556 of 2018 State of Haryana Versus Yogesh Tyagi and other connected matters***, which are stated to be pending.

25.01.2023
Meenu

(**SUVIR SEHGAL**)
JUDGE

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