

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

205+04

Decided on : 07.12.2023

(I) CWP No. 3558-2017 (O&M)

Kailash Chander . . .Petitioner
Versus

State Of Haryana And others . . . Respondents

(II) CWP-5912-2017 (O&M)

Karambirpetitioner
Versus

State Of Haryana And OthersRespondents

(III) CWP-23840-2015 (O&M)

Rohtash KumarPetitioner
Versus

State Of Haryana And Ors ...Respondents

(IV) CWP -25619-2018 (O&M)

Poonam Chand And OrsPetitioners
Versus

State Of Haryana And Others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Jagjit Singh Beniwal, Advocate
for the petitioner(s).

Mr. Ravinder Malik (Ravi), Advocate
for the petitioner(s) in CWP-25619-2018.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. By this common order, above mentioned all writ petitions are
being disposed of as all the writ petitions involve the same question of law on

similar facts.

2. In the present petitions, the claim of the petitioner is for the grant of regular pay-scale from the date when the petitioners were recruited in the service or from the date when the said regular pay-scale was given to the employees who were junior to the petitioners in the same cadre in which the petitioners are working.

3. Learned counsel for the petitioner(s) further submits that the question of law raised in the present petitions has already been decided by this Court by passing order in CWP No. 12858 of 2018- **'Chand Singh and others v. State of Haryana and others'**, alongwith other connected cases, decided on 24.08.2023 hence the present petitions be also disposed of in the same terms and conditions.

4. Learned State counsel on the other hand submits that though, the question of law raised in the present petition is covered by the judgment passed in **Chand Singh's case (Supra)** but the department has already decided to assail the said judgment in appeal and hence, no benefit of granting the regular pay scale be given to the petitioners, otherwise, the department will have to file appeal in all cases.

5. Learned counsel for the petitioners submits that the grievance being raised by the learned State counsel is only qua filing of appeal by the department in all cases, hence, the undertaking may be recorded that in case, the judgment in Chand Singh's case (Supra) is modified or set aside by the Appellate Court in any manner, the same be made applicable upon all the petitioners even without filing an appeal.

6. Learned counsel for the respondents does not object the

statement made by the counsel for the petitioners recorded herein above.

7. I have heard learned counsel for the parties and have gone through the record with their able assistance.

8. Keeping in view the above coupled with the fact that a detailed order has already been passed on the same issue as raised in the present petitions, hence, the present petitions are also allowed in the same terms as in *CWP No. 12858 of 2018- 'Chand Singh and others v. State of Haryana and others'* alongwith other connected cases, decided on 24.08.2023.

9. All the writ petitions stand disposed of in above terms.

10. Civil miscellaneous application pending, if any, is also disposed of

11. A photocopy of this order be placed on the files of connected cases.

(HARSIMRAN SINGH SETHI)
JUDGE

07.12.2023

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No