

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(226)

CWP-30525-2018

Date of Decision : November 20, 2023

Sandeep and another

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.S. Malik, Advocate, for the petitioners.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. The present writ petition was filed in the year 2018 with a prayer that the salary of the petitioners who are working as Home Guard Volunteer, should be fixed in terms of the order passed by the Hon'ble Supreme Court of India in *Civil Appeal No.2759 of 2015 titled as Grah Rakshak, Home Guards Welfare Association vs. State of H.P and others, decided on 11.03.2015.*

2. In the reply, the respondents have submitted that keeping in view the decision of the Hon'ble Supreme Court of India in the said case, vide notification dated 29.12.2021, daily allowance has been enhanced from Rs.572/- to Rs.788/-.

3. Learned counsel for the petitioners does not dispute the said factum.

4. Learned counsel for the petitioners submits that the enhanced rate is also lesser and the petitioners are entitled for more daily allowance as being fixed by Annexure R-3/1 dated 29.12.2021.

5. It may be noticed that there is no challenge to the said order dated 29.12.2021 (Annexure R-3/1) and nothing has come on record as to why, the enhancement of daily allowance from Rs.572/- to Rs.788/- is less or in contravention of the judgment of the Hon'ble Supreme Court of India.

6. In the absence of any challenge to the said order, no relief can be granted to the petitioners so as to hold that enhancement of daily allowance from Rs.572/- to Rs.788/- is in contravention of the direction of Hon'ble Supreme Court of India, hence, the present writ petition is disposed of with a direction that keeping in view the order dated 29.12.2021 (Annexure R-3/1) passed by the respondents, no further orders are required to be passed in the present writ petition. However, the petitioners will be at liberty to challenge the said order in case they are aggrieved by the said order in any manner.

November 20, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No