

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.117

CIVIL WRIT PETITION No. 19988 of 2023
Date of Decision : September 12, 2023

Raghubir Singh

..... *Petitioner*

versus

State of Haryana and others

..... *Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Abhishek Lubana for the petitioner

Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking a writ of *mandamus* directing the respondents to produce the order/statement whereby pay of the petitioner has been fixed while passing the speaking order dated 15.03.2023 (Annexure P-15) and setting aside the same to the extent it has not been prepared in accordance with the Haryana Civil Services (Assured Career Progression) Rules, 1998. Further, a writ of *mandamus* has been sought directing respondents to re-fix the petitioner's pay (including pension) in terms of the order dated 10.12.2013 (Annexure P-10) passed in CWP No. 9894 of 2004 and release the arrears along with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that the petitioner has been held entitled to the reliefs claimed by him in earlier rounds of litigation vide speaking order dated 15.03.2023 (Annexure P-15). He is, therefore, not

aggrieved against the same, so far as grant of benefits is concerned. The only grievance is that despite the petitioner having been held entitled to the benefits, the same have not been released to him on account of pending approval from respondent No.2. At this stage, the petitioner will be satisfied in case respondent No.2 is directed to expeditiously approve the grant of benefits to him in terms of the speaking order dated 15.03.2023.

3. The prayer is accepted and respondent No.2/Financial Commissioner & Secretary to Government of Haryana, is directed to consider the petitioner's case and pass an appropriate order regarding release of benefits to him in terms of the speaking order, dated 15.03.2023, passed by the Superintending Engineer, within a period of six weeks' from the date of receiving a certified copy of this order.

4. Disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

12.09.2023

Mahima

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