

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

234

CWP No.28680 of 2019 (O&M)
Date of decision:08.02.2023

Sukhvir Singh Phogat and others

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sumit Sangwan, Advocate
for the petitioners.

Mr. Sourabh Mohunta, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

C.M.No.19851 of 2022

Application is allowed as prayed for.

Annexures P-16 to P-18 are taken on record.

CWP No.28680 of 2019

Although a number of reliefs have been sought in the petition,
but petitioners are pressing the petition only qua prayer (i), which is
reproduced as under:-

*“i) a writ in the nature of certiorari for quashing order dated
20.08.2019 (Annexure P-11) vide which the complete relief not
granted to the petitioners against their entitlement as well
(sic as) claimed by them in the legal notice dated 11.10.2018
(Annexure P-1) including arrears, allowances, leaves, medical,*

etc and only granted partial relief by granting minimum pay @ Rs.35,400/- excluding the allowances from 01.01.2019 instead of 01.01.2016 being illegal, arbitrary, discriminatory, unconstitutional against the principles of natural justice, instructions as well (sic as) guidelines, non-speaking and violation of fundamental rights guaranteed under the Constitution of India as well (sic as) ratio laid down in various authoritative pronouncements by this Hon'ble Court as well as Hon'ble Apex Court of India.”

In response to the notice issued to the respondents, short reply has been filed on behalf of respondent No.2 by way of an affidavit of Director, Information, Public Relations and Languages, Haryana, wherein, it has been submitted that the petitioners have been granted the benefit as per the Govt. instructions appended as Annexure R-1.

Counsel for the petitioners has controverted the stand taken in the short reply and by inviting attention of this Court to Annexure P-11 and submits that the payment has been made to the petitioners w.e.f. 01.01.2019, whereas, same should have been made w.e.f.03.11.2017.

Without getting into the factual dispute, writ petition is disposed of with a direction to the respondents to pay the benefits flowing to the petitioners in terms of the judgment of Supreme Court in **State of Punjab Vs. Jagjit Singh and others, 2016(4) SCT 641** w.e.f. 03.11.2017, in case it has not been done so far.

Monetary benefits, if not disbursed, be paid to the petitioners within a period of four months from the date of receipt of certified copy of this order.

Insofar as remaining reliefs are concerned as requested, petitioners may submit a representation before the competent authority.

February 08, 2023

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>