



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

494

CWP-19705-2003 (O&M)  
Date of decision: 02.09.2024

Amrik Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**  
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Present : Mr. B.K. Bagri, Advocate for the petitioner.  
Mr. Tapan Kumar, DAG, Haryana.  
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**AMAN CHAUDHARY, J. (Oral)**

1. Prayer made in the present petition is for quashing the impugned order dated 30.05.2003 and directing the respondents to fix the basic pay of the petitioner and release his retiral benefits.
2. Learned State counsel makes a reference to para 4 of the written statement dated 11.08.2004, which reads thus:  
  
“That regarding fixation of basic pay of the petitioner in the revised scale on the basis of his basic pay in the un-revised pay scale it is submitted that pay has been rightly fixed as per provisions of Haryana Civil Services Assured Career Progression (ACP) Rules 1998. Further as per Rule 14 of said Rules, the petitioner was required to exercise an option to switch over to the revised pay scales within three months. If revised scales were not beneficial to the petitioner, he was at liberty to continue to draw his pension in the un-revised scale. However the petitioner opted for the revised pay scale and once he has opted for the revised pay scales, he has to accept the pay as fixed at maximum of scale as per provisions of Rule 15 of Assured Career Progression Rules, 1998. It is submitted that the claim to pension on the basis of un-revised scales stands forfeited on his opting the revised pay scales w.e.f. 1.1.1996. The petitioner has given his option on 28.1.1998 in which he elected to fix his pay in the revised scale w.e.f. 1.1.96. A copy of the option dated 28.1.98 is enclosed as Annexure R-I.”
3. In view of the averments made in the reply, which remain uncontroverted by learned counsel for the petitioner and no replication had been filed, the present petition is hereby dismissed.

(AMAN CHAUDHARY)  
JUDGE

02.09.2024  
Hemant

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No