

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CWP-1708-2024
Date of Decision: 25.01.2024

Gaurav and others ...Petitioner(s)

Versus

Executive Council, Haryana School Shiksha Pariyojna Parishad and
others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Tejpal Singh Dhull, Advocate for the petitioners
Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the condition imposed in the petitioners' appointment letter, dated 10.09.2019, Annexure P-3, to the extent they are entitled to minimum scale of 6th pay commission prescribed under Haryana Service Bye-Laws, 2013, Annexure P-1. Further, a direction has been sought to grant the petitioners minimum of the pay scale plus grade pay with dearness allowance admissible under 7th pay commission from the date of their appointment.

2. Learned counsel for the petitioners submits that grievance raised herein is pending for appropriate decision before the respondents. At this stage, the petitioners will be satisfied in case respondent No.2 is directed to

decide the pending representation, dated 15.07.2020, Annexure P-4, in a specified period.

3. Notice of motion.

4. Ms. Tanushree Gupta, DAG, Haryana, appearing on advance notice, submits that the pending representation shall be decided by respondent No.2 expeditiously.

5. In view thereof, without going into merits of the case, the petition is disposed of with a direction to respondent No.2/State Project Director, Haryana School Shiksha Pariyojna Parishad, to consider and decide the pending representation dated 15.07.2020, by passing a speaking order, keeping in view the law laid down by the Supreme Court in *Bahadur Singh and others v. Jaspreet Kaur Talwar and others*, 2022 SCC OnLine SC 1077, as well as the fact that other employees working in the Parishad have already been given benefit of pay scale as per the 7th pay commission recommendations in terms of order dated 11.05.2018, within a period of three months from the date of receiving a certified copy of this order.

6. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹25,000 to the petitioners.

(TRIBHUVAN DAHIYA)
JUDGE

25.01.2024
Payal

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