

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 109

Civil Writ Petition No.5779 of 2024

Date of Decision: *March 13, 2024*

Naresh Kumar Kansal

..... PETITIONER(S)

VERSUS

State of Haryana & others

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Vipul Sachdeva, Advocate, for the petitioner.

Mr. Sanjeev Kaushik, Additional Advocate General,
Haryana.

. . .

Tribhuvan Dahiya, J (Oral)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the order dated 18.01.2024, Annexure P-9, passed by the second respondent, whereby the difference in remuneration claimed by the petitioner has been declined.

2 It is contended by learned counsel for the petitioner that the petitioner was engaged as Extension Lecturer after retirement from service in the Department, from 02.11.2019 to 17.09.2022. He was paid remuneration at the rate of ₹ 35,400 per month in terms of policy guidelines dated 04.03.2020. Relying upon a judgment of this Court rendered in Civil Writ Petition No.15114 of 2021, titled *Dr. Balwinder Singh & another vs. State of Haryana & others*, it is contended that Clause 11 of the policy guidelines providing for lower remuneration of ₹ 35,400 to the retired Extension Lecturers (as

compared to ₹ 57,700 for others) has been struck down, accordingly, the petitioner is entitled to arrears of remuneration at the rate of ₹ 57,700 per month.

3 Learned State counsel, appearing on advance notice, points out that the petitioner earlier approached this Court by filing Civil Writ Petition No.6774 of 2021, titled *Naresh Kumar Kansal vs. State of Haryana & others*, claiming the similar relief as claimed in the instant petition without challenging Clause 11 of the policy guidelines dated 04.03.2020. The petition was dismissed by this Court vide order dated 23.03.2021, against it he filed Letters Patent Appeal No.1157 of 2021, which was also dismissed as withdrawn with liberty to file a fresh one, vide order dated 20.01.2022. Thereafter, the petitioner filed a review application, RA-CW-27 of 2022, which was dismissed vide order dated 02.03.2022. Therefore, the petitioner is not entitled to the relief claimed.

4 After hearing the learned counsel for the parties, it is apparent that the petitioner worked as Extension Lecturer from 02.11.2019 to 17.09.2022, and was paid remuneration for the period in terms of the policy guidelines as applicable at the relevant time. The petition seeking higher remuneration that is being sought by way of the instant petition was declined by this Court by dismissing the writ petition vide order dated 23.03.2021. The review application against the order also stands dismissed. Merely because this Court, in *Dr. Balwinder* case (*supra*), declared Clause 11 of the policy guidelines, dated 04.03.2020, illegal and irrational, will not give any cause to the petitioner to seek higher remuneration for the period he has already worked. The judgment relied upon was also passed on 21.07.2023, subsequent to relieving of the petitioner from service.

5 In view thereof, there is no ground to entertain the petition.

6 Dismissed.

(Tribhuvan Dahiya)
Judge

March 13, 2024
avin

<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>