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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-14048-2023 (O&M)
Date of decision: 15.02.2024

Satish Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. S.K. Malik, Advocate and
Mr. Aditya Singh, Advocate for the petitioners.

Mr. Naveen Singh Panwar, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of certiorari for quashing the pay fixation/action dated 24.01.2022 and 02.03.2023 (Annexures P-1 and P-1A) vide which the respondents have withdrawn the benefits of all ACPs scales granted to the petitioners without any show cause notice or chance of personal hearing.

2. Learned counsel for the petitioners has submitted that the present case is squarely covered by the judgment passed by this Court in CWP-11777-2022 titled as Sahib Ram and others Vs. State of Haryana and others and other connected matters decided on 19.07.2023, the relevant portion of which has been highlighted and is reproduced hereinbelow:-

*“14. Keeping in view the abovesaid facts and circumstances,
all the writ petitions are partly allowed and the impugned*

action of respondents is set aside. Liberty is, however, granted to the respondent authorities to proceed against the petitioners, in accordance with law, after issuing show cause notice and after giving them an opportunity to file a reply to the same and then to pass appropriate orders in accordance with law.

15. It is made clear that this Court has not opined on the merits of the case and has set aside the impugned action only on the ground of violation of principles of natural justice and it would be open to the respondent authorities to decide the same independently and in accordance with law.

16. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid judgment.”

3. It is thus, prayed that the present case be disposed of in the same terms.
4. On 05.01.2024, learned State Counsel was directed to get instructions in the matter and learned State Counsel has not been able to dispute the fact that the present case is covered by the abovesaid judgment.
5. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is partly allowed in the same terms as was passed in CWP-11777-2022 titled as Sahib Ram and others Vs. State of Haryana and others and other connected matters decided on 19.07.2023.
6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

15.02.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No