



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

CWP-19272 of 2024

Date of decision: 12.08.2024

Jagdish Chander Chopra and others

.....Petitioners

Versus

State of Haryana and others

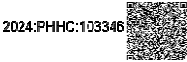
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Kulwant Singh Dhanora, Advocate, for the petitioners.
Ms. Saurabh Mohunta, DAG, Haryana.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of *certiorari* for quashing the impugned order dated 09.10.2023 (Annexure P-5) passed by respondent No.2 whereby deemed date of promotion as Accounts Clerk w.e.f. 07.09.1979 in the pay scale of Rs.525-1050 and as Deputy Superintendent w.e.f. 24.11.1995 in the pay scale of Rs.1640-2900/- has been granted to the petitioners from the date when their junior Sh. Sham Lal, Circle Superintendent (Retd.)- respondent No.3 was promoted but the deemed date of promotion was granted subject to conditions that the pay should be fixed on notional basis and no arrears are admissible and the pension should be revised from 01.01.2016 but the arrears of revised pension are not admissible. Petitioners have also sought writ of *mandamus* directing the respondents to pay arrears of difference of pay of the posts of Accounts Clerk w.e.f. 19.04.1995 to 24.11.1995 and Deputy Superintendent



w.e.f. 15.04.2004 to 10.04.2007 along with interest @ 18% per annum and also to pay the revised pension from the retirement dates along with arrears and interest.

2. Learned counsel for the petitioners at the outset confines his prayer for deciding representations dated 25.10.2023 (Annexure P-6); 04.12.2023 (Annexure P-7) and 26.10.2023 (Annexure P-8). He submits that at this stage, petitioners would be satisfied, if the said representations are considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Saurabh Mohunta, DAG, Haryana, accepts notice on behalf of respondents-State.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.2 is directed to consider and decide the claim made by the petitioners in representations dated 25.10.2023 (Annexure P-6); 04.12.2023 (Annexure P-7) and 26.10.2023 (Annexure P-8) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order.

7. The petition stands disposed of.

12.08.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No