

CM-21816-CWP-2023 in/& -1-
CWP-27408-2018

2024:PHHC:007122

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104

CM-21816-CWP-2023 in/&
CWP-27408-2018
Date of Decision :19.01.2024

Surender

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Bishan Dass Rana, Advocate for the applicant-petitioner.
Mr. Harish Nain, AAG, Haryana.

* * *

Harsimran Singh Sethi, J. (Oral)

CM-21816-CWP-2023

Present application has been filed for recalling the order dated 21.08.2023 (Annexure A-9) passed by this Court by which, the main writ petition was disposed of.

Notice of the application to the counsel opposite.

Mr. Harish Nain, AG, Haryana accepts notice on behalf of the respondent-State and raises no objection for the grant of prayer as made in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, application is allowed. Order dated

21.08.2023 passed by this Court is recalled and the main writ petition is ordered to be restored to its original number and status and is taken up for hearing today itself.

CWP-27408-2018

1. Learned counsel for the petitioner submits that though, the petitioner has been paid fixed honorarium but the same is not in accordance with one allowed by the Division Bench of this Court in **LPA No.1273-2018 titled as State of Haryana and others vs. Devender, decided on 20.02.2019.**

2. Learned counsel for the respondents submits that similarly situated Edusat Chowkidars, who approached the respondents have been paid the salary as claimed by the petitioner.

3. Learned counsel for the petitioner submits that keeping in view the statement made by learned counsel for the respondents, the petitioner be given liberty to approach the respondents to claim the salary for which, the petitioner becomes entitled as being paid to the other Edusat Chowkidars.

4. Learned counsel for the respondents submits that in case any representation is filed by the petitioner claiming the salary which is being paid to the similarly situated Edusat Chowkidars, the same will be considered in accordance with law and an appropriate order will be within a period of 08 weeks from the date of receipt of any such representation and in case after the decision, the petitioner is found entitled for the relief, the same will be extended to him within a further period of 04 weeks.

5. Learned counsel for the petitioner submits that keeping in view the statement made by learned counsel for the respondents, present petition

CM-21816-CWP-2023 in/& -3-
CWP-27408-2018

2024:PHHC:007122

may kindly be disposed of having been not pressed any further with liberty
as prayed for.

6. Ordered accordingly.

January 19, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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