

CWP No. 9944 of 2016

2024:PHHC:002413

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CWP No. 9944 of 2016

Date of Decision : 10.01.2024

Dr. Har Avtar Singh (deceased) through his Lrs.

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Manveen Kahlon, Advocate for the petitioners.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the claim of the petitioners is that similarly situated employees as the petitioners had approached this Court by filing CWP No. 10506 of 2002 titled as **Dr. K.L. Kumar and others Vs. State of Haryana and others**, in which petition was allowed by the Co-ordinate Bench of this Court on 06.10.2009 (Annexure P-6) with regard to the grant of benefit of revised pay scale w.e.f. 01.01.1996 but the benefit of the said judgment was not being extended to the petitioner- Dr. Har Avtar Singh (since deceased) on the ground that petitioner was not party to the said petition and secondly, the order passed by this Court was challenged before the Hon'ble Supreme Court of India and the same had not attained finality.

2. Learned counsel for the petitioner submits that the judgment in ***Dr. K.L. Kumar's case (supra)*** has already been upheld by the Hon'ble Supreme Court of India and the SLP was dismissed on 16.12.2013 but still, the benefit is not being extended to the petitioners without any valid justification.

3. Learned State counsel submits that appropriate order on the claim of the petitioners will be passed by keeping in view the judgment of the Co-ordinate Bench of this Court in ***Dr. K.L. Kumar's case (supra)*** and the said appropriate order will be passed within a period of eight weeks from the date of receipt of certified copy of this order and in case, petitioners are found entitled for any relief keeping in view the settled principle of law as settled in ***Dr. K.L. Kumar's case (supra)***, the relief will be granted to the petitioners otherwise, due reasons will be given in the speaking order for the information and necessary action.

4. Learned counsel for the petitioners submits that keeping in view the said statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further.

5. Ordered accordingly.

January 10th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No