



229
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6098-2018(O&M)

Date of decision: 18.07.2024

Anil Kumar and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Rajeev Anand, Advocate, for the petitioners.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana

Mr.Hitesh Pandit, Advocate, for respondent-Nigam.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of mandamus directing the respondents to consider the case of the petitioners for fixation of initial pay in the respondent-department based on the number of years of service rendered in the Indian Army and towards the benefits grant the increments as granted to the Ex-servicemen Clerks through the Government circulars/memos dated 27.08.1998 (Annexure P-8) and 16.02.1999 (Annexure P-9), with a further prayer to direct the respondents to act upon the legal notice dated 19.11.2017 (Annexure P-12) served by the petitioners on the respondents for grant of the



benefit at par granted to the Ex-servicemen Clerks through the Government circulars/memos dated 27.08.1998 (Annexure P-8) and 16.02.1999 (Annexure P-9). It was further prayed that the respondents be directed to provide the benefit of pay protection applicable in the State of Haryana in consonance with the Government orders dated 27.08.1998 (Annexure P-8) and 16.02.1999 (Annexure P-9) and other benefits for counting of military service for promotion and fixation of pay and seniority upon re-employment without further delay alongwith all consequential benefits including the financial benefits alongwith arrears and interest @ 18% per annum.

2. At the outset, learned counsel for the petitioners has submitted that the petitioners may be permitted to file a comprehensive representation to the respondents and a direction may be issued to respondent No.2 to consider all the grounds taken in the representation and pass a speaking order after hearing the petitioners or their counsel.

3. Mr. Hitesh Pandit, learned counsel appearing on behalf of the respondent-Nigam submitted that he has no objection to the aforesaid limited prayer of the petitioners in this regard.

4. In view of the above, the present petition is disposed of. Liberty is granted to the petitioners to make any comprehensive representation to respondent No.2 by raising any ground which they deem fit within a period of two months from today. In the event of their doing so, the same shall be considered and decided by respondent No.2 within a period of next four months strictly in accordance with law and after giving adequate opportunity to the petitioners or their counsel. Needless to say that in case the petitioners are



found to be entitled to the relief claimed, then the same shall be released to them within a period of next four months.

(JASGURPREET SINGH PURI)
JUDGE

18.07.2024
rakesh

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