

**CWP-25648-2024 and other petitions****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of Decision:04.10.2024****112 CWP-25648-2024**

MUKESH KUMAR MALIK AND ORS.
VS
STATE OF HARYANA AND ORS.

113 CWP-25683-2024

VED PRAKASH AND ORS.
VS
STATE OF HARYANA AND ORS.

114 CWP-25689-2024

NARESH KUMAR AND ORS.
VS
STATE OF HARYANA AND ORS.

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Ankur Goyat, Advocate,
for the petitioners (in all the cases).

AMAN CHAUDHARY, J. (Oral)

1. The prayer in these petitions is for directing the respondents to release differences of Over Time Allowance admissible to the petitioners for the period from 01.04.2013 to 31.12.2016, after the decision of this Court dated 01.04.2013 passed in CWP-22516-2012, Annexure P-2.
2. Learned counsel would submit that the petitioners had not been granted Over Time Allowance despite the fact that the claim being covered

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by the judgment passed in **State of Haryana and others vs. Sanjeev Kumar and others**, LPA-1582-2023 and connected cases, decided on 23.04.2024, Annexure P-8, whereby the State of Haryana unsuccessfully challenged the judgment passed in the case of **Sanjeev Kumar and others vs. State of Haryana and others**, CWP-697-2020, wherein it was noticed that the judgment in the case of **Brij Bhushan and others vs. State of Haryana and others**, CWP-3005-2018, decided on 01.02.2019, Annexure P-4, had attained finality and benefits were released. In this regard, demand notices dated 28.07.2024, Annexure P-8, have been served upon the respondents, which have yet not evoked any response. He thus, at this stage, on instructions from the petitioners prays that a direction is given to the respondents to decide the same in a time bound manner by taking into consideration the afore-referred judgments.

3. Notice of motion.

4. At the asking of the Court, Ms. Tanisha Peshawaria, DAG, Haryana accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

5. In view of the above and without commenting upon the merits of the case, these petitions are hereby disposed of with a direction to the respondents to decide the demand notices dated 28.07.2024, Annexure P-8, by taking note of the afore-referred judgments, within a period of six months, which this Court has no reason to believe the authorities would not address in

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a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon.

6. A copy of this order be placed on the other connected case files.

(AMAN CHAUDHARY)
JUDGE

October 04, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No