

CWP-28175 of 2024

2024:PHHC:139821



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

CWP-28175 of 2024

Date of decision: 24.10.2024

Yadvirender Sharma

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Sunil Kumar Bhardwaj, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

NAMIT KUMAR, J. (ORAL)

1. Instant petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking a writ of *certiorari* for quashing of order dated 09.03.2021 (Annexure P-4) whereby pay of the petitioner has been re-fixed by changing the date of grant of technical pay scale from 01.05.1990 to 01.04.1993.

2. On the last date of hearing i.e. 19.10.2024 following order was passed: -

“Learned counsel for the petitioner inter alia contends that the date of grant of technical pension has been changed from 01.05.1992 (wrongly typed) to 01.04.1993, in violation of the principles of natural justice.

On receipt of advance copy of writ petition, Mr. Saurabh Mohunta, DAG, Haryana, has put in appearance on behalf of the respondents and seeks adjournment to get instructions.

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Adjourned to 24.10.2024.”

3. Learned State counsel, on instructions from Sh. Sunil Kumar, Assistant, office of Public Health Engineering Division No.2, Bhiwani, submit that while passing the said order neither show-cause notice was issued nor opportunity of hearing was granted to the petitioner.

4. In this view of the matter, order dated 09.03.2021 (Annexure P-4) is set aside. Consequently, pay of the petitioner be restored at the same stage which was prevalent before passing the impugned order. However, liberty is granted to the respondents to proceed in the matter in accordance with law after complying with the principles of natural justice.

5. Disposed of accordingly.

24.10.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No