



CWP-4115-2000 (O&M)

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CWP-4115-2000 (O&M)
Date of Decision: 24.04.2025**

SOBAN SINGH

..... PETITIONER

VERSUS

VICE CHANCELLOR, M.D. UNIVERSITY, ROHTAK AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Saurabh Sheoran, Advocate for
Mr. H.S. Kasan, Advocate
for the petitioners.

Mr. K. K. Gupta, Advocate
for the respondents no. 1 and 2/University.

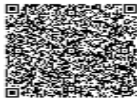
Mr. Rohit Arya, DAG, Haryana
for respondents 3 to 5.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *mandamus* directing the respondents to give replacement scale of ₹5000-7850 (revised) as Sr. Gasman by revising the pay scales as recommended by the Executive Council of the University vide its resolution dated 02.01.1991.

2. Learned State counsel has referred to Section 9(F) of the Maharshi Dayanand University Act, 1975, prescribing as under:

Notwithstanding anything contained in this Act, the University shall not create any teaching and non teaching posts or revised the pay scales of teaching and non-teaching employees without obtaining the prior approval from the State Government.



He further contends that the University did not obtain prior approval of the Government before revising the petitioner’s pay scale and passing the Executive Council’s resolution, dated 02.01.1991, which approved Personal Promotion Scheme for Laboratory Attendants and Technical Staff, including the petitioner. Accordingly, the University was informed, vide letter dated 20.08.1992, to withdraw the benefits given to the staff on the basis of this resolution.

3. Learned counsel for the University submitted that in compliance of the directions and keeping in view the statutory bar, the benefit of higher pay scale given to the petitioner was withdrawn, and his pay was re-fixed in the old basic pay scale vide letter dated 31.03.2000, Annexure P-14.

4. Since there is no dispute that the University was not authorised to revise pay scales for non-teaching posts without obtaining prior approval of the Government, the Executive Council resolution, dated 02.01.1991, relied upon by the petitioner could not have been passed or implemented.

5. Accordingly, the petition being devoid of merits stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

24.04.2025
Sima

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