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

218 (15 cases)

Date of Decision: 15.07.2025.

(1)

CWP-7854-2020 (O&M)

RAJ KUMAR AND OTHERS
V/S
STATE OF HARYANA AND OTHERS

(2)

CWP-7968-2020 (O&M)

BRAHAM PARKASH
V/S
STATE OF HARYANA AND OTHERS

(3)

CWP-7969-2020 (O&M)

JAGDISH KUMAR CHHABRA AND ANOTHER
V/S
STATE OF HARYANA AND OTHERS

(4)

CWP-7975-2020 (O&M)

DHARAM RAJ DANGI AND OTHERS
V/S
STATE OF HARYANA AND OTHERS

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(5)

CWP-7977-2020 (O&M)

OM PARKASH GROVER AND ANOTHER
V/S
STATE OF HARYANA AND OTHERS

(6)

CWP-8152-2020 (O&M)

SHRICHAND AND OTHERS
V/S
STATE OF HARYANA AND OTHERS

(7)

CWP-8153-2020 (O&M)

DILBAG SINGH HOODA AND ORS
V/S
STATE OF HARYANA AND OTHERS

(8)

CWP-8154-2020 (O&M)

JAGDISH KUMAR CHHABRA AND OTHERS
V/S
STATE OF HARYANA AND OTHERS

(9)

CWP-8195-2020 (O&M)

DHARAMBIR SINGH SINDHU AND ORS
V/S
STATE OF HARYANA AND OTHERS

(10)

CWP-7915-2020 (O&M)

KARAM CHAND ANR ORS
V/S
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(11)

CWP-7924-2020 (O&M)

SURAJ MAL MALIK AND OTHERS
V/S
STATE OF HARYANA AND OTHERS

(12)

CWP-7931-2020 (O&M)

SURENDER PAL BANSAL AND ORS
V/S
STATE OF HARYANA AND ORS

(13)

CWP-4808-2018 (O&M)

SATYAVIR SINGH MALIK
V/S
STATE OF HARYANA AND ORS

(14)

CWP-8928-2020 (O&M)

BABU RAM AND OTHERS
V/S
STATE OF HARYANA AND OTHERS

(15)

CWP-16725-2020 (O&M)

MOHINDER KUMAR BHAYANA
V/S
STATE OF HARYANA AND OTHERS

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Mohinder Pal, Advocate,
for the petitioner(s) in CWP Nos.7854, 7915, 7924, 7931,
7968, 7969, 7975, 7977, 8152, 8153, 8154, 8195 of 2020 and
CWP-4808-2018.

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Mr. Sandeep Kotla, Advocate,
for the petitioner(s) in CWP-16725-2020.

Mr. Ivneet S. Pabla, Advocate,
for the petitioner(s) in CWP-8928-2020.

Mr. Rahul Dev, Addl. A.G. Haryana.

Mr. H.S. Oberoi, Advocate,
Mr. A.P.S. Sekhon, Advocate, and
Ms. Navneet Kaur, Advocate, for
Ms. Swati Dayalan, Advocate,
for respondent No.3/Accountant General, Haryana.

VINOD S. BHARDWAJ. J (ORAL).

This order shall dispose of the above mentioned 15 writ petitions since they involve a common question of law.

2 The facts in brief, however, are referred from CWP-7854-2020 titled as ‘Raj Kumar and others Vs. State of Haryana and others.’

3 Prayer made in these writ petition(s) is for seeking quashing of letter of different dates as well as letter dated 02.02.2017 (Annexure P-11 in CWP-7854-2020) passed by respondent No.2-Engineer-in-Chief, Irrigation and Water Resources Department, Haryana, whereby the ACP Scales granted long ago, in 1996 as Ist ACP; 2008 as IInd ACP and 3rd time in 2014 during service tenure, to the petitioners herein has been ordered to be withdrawn after their retirement ignoring the material facts on record and after applying Rule 5 (3) instead of Rule 8 (3) of the Haryana Civil Services (ACP) Rules, 1998.

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4 It is submitted that there was no misrepresentation/ concealment or fraud on the part of the petitioners in grant of ACP to them, yet, the impugned orders have been passed after huge delay. The action of effecting recovery is violative of judgment of the Hon'ble Supreme Court in the matter of **State of Punjab and others Vs. Rafiq Masih (Whitewasher), reported as (2014) 8 SCC 883.**

5 It has been further submitted by the counsel appearing on behalf of the petitioner(s) that a number of writ petitions involving similar controversy, as is involved in the present set of writ petitions, were decided in lead case **CWP No.23074 of 2010 titled as 'Ram Pal Patwari and others Vs. State of Haryana and another and CWP No.15880 of 2013 titled as 'Parmanand and others Vs. State of Haryana and others'** and the writ petitions were allowed by this Court vide judgment dated 24.07.2015. The said decisions were subject matter of challenge in the **Letters Patent Appeal (LPAs) No.1865 of 2015 titled as 'State of Haryana and others Vs. Parmanand and others'** and other connected Letters Patent Appeals. He submits that vide order dated 05.03.2025 passed by the Hon'ble Division Bench of this Court, the aforesaid LPAs have been dismissed. He submits that the case of the petitioners in the present set of writ petitions is squarely covered by the aforesaid decision dated 05.03.2025 passed in aforesaid LPA and therefore, the present writ petitions may be disposed of in terms thereof.

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6 Learned State counsel does not dispute that the ratio of judgment in the matter of **LPAs No.1865 of 2015 titled as ‘State of Haryana and others Vs. Parmanand and others’** and other connected Letters Patent Appeals decided vide order dated 05.03.2025 would be applicable to the case of the petitioners in the present batch of writ petitions.

7 Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present batch of petitions is disposed of in terms of the judgment dated 05.03.2025 passed in **LPA No.1865 of 2015 titled as ‘State of Haryana and others Vs. Parmanand and others’** (supra). Orders regarding withdrawal of ACPs and recovery from the petitioners herein in the respective writ petitions are set aside.

8 Pending misc. application(s), if any, shall also stand(s) disposed of accordingly.

9 A photocopy of the order be placed on the connected file(s).

July 15, 2025
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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