



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

Sr. No.112

CWP-13217-2025 (O&M)
Date of Decision: 20.08.2025

Rajender Singh

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Pardeep Sharma, Advocate, for the petitioner.

Ms. Tanushree Gupta, Senior Deputy Advocate General,
Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the office order dated 28.11.2016, Annexure P-2, whereby the benefit of revision of pay scale has been granted to the petitioner on notional basis with effect from 03.12.2002, i.e., from the date of joining as Vocational Instructor, and actual benefits prospectively.

2. Learned counsel for the petitioner contended that the petitioner was initially appointed as Vocational Instructor in the Industrial Training Department. His services were later taken in the respondent Department of Secondary Education, and was re-designated as Vocational Lecturer. Therefore, he is entitled to claim the pay scale meant for the post of Lecturer as admissible to other teachers in the Department. This Court has already allowed similar prayer of other Lecturers vide a common judgment dated 23.09.2015 passed in CWP No.10269 of 2010 titled *Makhan Singh and others v. State of Haryana and another*, and CWP No.12673 of 1998 titled *Anil Bhatia and others v. State of Haryana and others*, and judgment dated



16.02.2024 in CWP No.26666 of 2016 titled *Gurmeet Singh and others v. State of Haryana and others*. He has also placed reliance upon office order dated 12.12.2024, Annexure P-46, whereby similarly situated employees have been given the benefit of pay scale meant for the post of Lecturer. He further contended that there was no delay in filing the petition as the petitioner had earlier approached this Court by filing CWP No.24411 of 2023, which was permitted to be withdrawn to file a fresh one on the same cause of action, vide order dated 30.10.2023.

3. Learned State counsel, on the contrary, contends that the petitioner is not entitled to claim the benefit of salary from the date of joining as he never approached this Court along with the petitioners in *Makhan Singh* case (*supra*) as well as *Anil Bhatia* case (*supra*). The impugned order dated 28.11.2016 has been passed in terms of the law laid down in those cases giving notional benefit to the petitioners and other similarly situated employees from the date of joining in the Department, i.e., 03.12.2002, and actual benefit from the date of order. She further contends that office order dated 12.12.2024 has been passed to give effect to the judgment rendered by this Court in CWP No.1885 of 2011 titled *Mohinder Pal and others v. State of Haryana and another*, which was disposed of in terms of judgment rendered in *Makhan Singh* case (*supra*).

4. Heard.

5. It remains undisputed that the petitioner has challenged the office order dated 28.11.2016 after an inordinate delay of about nine years. His explanation for condonation of delay on account of filing the earlier petition cannot be accepted as undisputedly, he did not challenge the said office order in the earlier round of litigation. Accordingly, he cannot be allowed to do so at this stage. He cannot claim benefit of the law laid down in *Makhan Singh* case (*supra*) and other connected case since he was not a



party to those petitions and considering this aspect, the benefit was given to him as well as similarly situated employees notionally from the date of joining and actually from the date of issuing of the office order, dated 28.11.2016.

6. Further, reliance placed by learned counsel for the petitioner upon *Gurmeet Singh* case (*supra*) is also misplaced because that petition has been decided vide a common judgment dated 16.02.2024 passed in a batch of petitions, with lead case CWP No.6452 of 1993 titled *Ram Phal Singh and others v. State of Haryana and another*, which has already been set aside by the Division Bench in LPA No.2075 of 2024 vide judgment dated 28.05.2025.

7. In view thereof, there is no ground to entertain the petition and it stands dismissed.

8. Pending miscellaneous application(s), if any, stand(s) disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

20.08.2025
Maninder

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