



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CWP-10797-2018 (O&M)

Date of decision: 01.08.2025

Sarwan Kumar Kansal

...Petitioner

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. Sukhdeep Singh, Advocate for the petitioner(s).

Mr. Vivek Chauhan, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant writ petition has been filed for seeking setting aside of the order dated 24.01.2018 whereby the claim of the petitioner for pay fixation w.e.f. 01.01.2006 has been rejected alongwith a further prayer for directing the respondents to grant the benefit of full arrears on account of grant of pay scale for the duration when the petitioner held the current duty charge of the post of Sub-Divisional Engineer (Civil) and A.C.P. be granted after calculating the period of service rendered by him as CDC.

2. During the course of arguments, learned counsel appearing on behalf of the petitioner fairly submits that in view of the judgment dated **15.04.2024** passed by this Court in **CWP-17896-2021** titled as '**Jai Singh Beniwal Vs. State of Haryana and others**', the petitioner can only be held entitled to grant of pay scale of the post of Sub-Divisional Engineer (Civil) during the period when he held the current duty charge and concedes that the service so rendered would not qualify for the grant of A.C.P.



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3. Learned State counsel is not in a position to dispute the judgment dated 15.04.2024 in the matter of *Jai Singh Beniwal (supra)* as well as the judgment dated **08.01.2024** in *CWP-23003-2018* titled as ‘*Shanti Parkash Sachdeva Vs. State of Haryana and others*’, passed by this Court on the said issues, in favour of the petitioner.

4. The present writ petition is accordingly **disposed of** in terms of the aforesaid judgments in the matters of *Jai Singh Beniwal (supra)* and *Shanti Parkash Sachdeva (supra)* and the petitioner is held entitled to the monetary benefits of pay/salary for the period during which he discharged his duties as Sub-Divisional Engineer (Civil) on current duty charge basis.

5. Let the needful be done within a period of **03 months** of receipt of a certified copy of this order alongwith the interest @6% per annum from the due date.

6. In the event of failure on the part of the respondents to clear the dues within the aforesaid period, the respondents shall be liable to pay the interest @7.5% per annum on the monetary pay benefits/salary and such enhanced interest liability may be recovered from the erring official(s)

7. **Disposed of in above terms.**

(VINOD S. BHARDWAJ)
JUDGE

01.08.2025
Mangal Singh

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