



CWP-16404-2025

-1-

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

108

CWP-16404-2025

Date of Decision: 08.08.2025

Sushil Kumar Sharma

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Jatinder Kumar Kamboj, 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 *mandamus* directing the respondents to grant the petitioner benefit of higher pay-scale/emoluments along with all consequential benefits from the date of appointment till retirement

2. It is contended that the petitioner is entitled to the benefits on the basis of judgment dated 04.10.2024, rendered by this Court in CWP-1281-2020 titled *Shyam Sunder and others v. State of Haryana and another*, and connected cases, which has been allowed in the following terms:

20. In view of the above factual position and the law laid down in the abovesaid judgments, the present petitions are allowed and the respondents are directed to release the pay and allowances of the post of Section Officer for the period the petitioners have performed the duties of the said posts, with all consequential benefits, within a period of three months from the date of receipt of certified copy of this order.



3. Learned State counsel contends that the State has challenged the judgment by filing LPA-1989-2025, and the Division Bench vide order dated 11.07.2025, has granted partial stay to the effect that operation of directions ‘will all consequential benefits’ shall remain stayed. The order reads as under:

Learned counsel submits that while passing the impugned judgment dated 04.10.2024, the learned Single Bench has directed to release pay and allowances of the post of Section Officer for the period the writ petitioners have performed the duties of the said posts with all consequential benefits. He submits that the words ‘*with all consequential benefits*’ would also imply grant of increments and seniority, which could not have been done.

Notice of motion returnable for 17.11.205.

In the meanwhile, the effect and operation of directions ‘*with all consequential benefits*’ shall remain stayed. She, accordingly, contends that the petitioner will be released benefits in terms of the judgment in *Shyam Sunder* case (*supra*) without consequential benefits subject to outcome of the said LPA, within a period of three months.

4. In view of the statement made, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.

5. Ordered accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

08.08.2025
Payal

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