

101-3

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-23826-2017 (O&M)

Date of Decision: 4th July, 2025

HAWA SINGH AND OTHERS

.....Petitioner(s)

V/s.

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Rajesh Arora, Advocate for the petitioners.

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

SANJEEV PRAKASH SHARMA, J. (Oral)

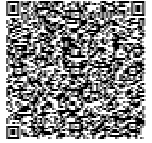
CM-8389-CWP-2025

This application is filed by the petitioner for disposing of the Writ Petition which is on the regular board of this Court in terms of the judgment dated 25.03.2025 passed in CWP-11710-2014.

For the reasons mentioned in the application the same is allowed the main Writ Petition is taken on board today itself.

CWP-23826-2017 (O&M)

1. Learned counsel for the petitioner as well as learned State counsel both are *ad idem* that the issue raised in the present petition stands concluded by the Coordinate Bench of this Court vide order dated 25.03.2025 passed in bunch of writ petitions with lead case of CWP-11710-2014 ***titled as ‘Sarbans Singh and others vs. The State of Haryana and others’***, wherein the Coordinate Bench held as under:



“95. In the present case, the petitioners are all regularly appointed employees. Therefore, this Court has no hesitation to hold that they have a vested right to claim "equal pay for equal work". Accordingly, this Court holds that Sections 3 and 4 of the Haryana (Abolition of Distinction of Pay Scale between Technical and Non-Technical posts) Act, 2014 is applicable prospectively qua appointments made after the said enactment. It is imperative to widen the scope of the proviso to Section 4 to do complete justice between the parties. Therefore, it is held that not only the employees who were already enjoying the benefits of the upgraded pre-revised scales will be granted the said pay scale but also the employees like the petitioners who were not granted the aforesaid pre-revised upgraded "technical pay scales" will also be granted the same. The provisions of the Act will be applicable prospectively from the date of its coming into force.

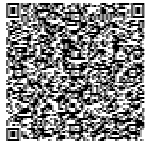
96. In Conclusion, it is held as follows:

(i) The legislative competence of the State Government is not in dispute and therefore the constitutional validity of Sections 3 and 4 of the 2014 Act is upheld.

(ii) However, Sections 3 and 4 of the 2014 Act will be applicable prospectively from the date the 2013 Ordinance was notified on December 10, 2013 and will be applicable qua the new recruits who were appointed to the posts where technical qualifications have been prescribed as per Section 2(h).

(iii) The pay of the petitioners is required to be "stepped up" at par with their juniors from the date the petitioners were regularised in service.

97. Accordingly, the authorities are directed to compute the arrears of such difference in pay from the date of regularisation of the petitioners and pay the same along with interest @ 6% per annum. However, the interest @ 6% per annum shall be restricted to a period of three years prior



to filing of the writ petitions and paid till the time of actual date of disbursement of the arrears. The same shall be disbursed to the employees concerned, within three months from the date of this judgment.

98. With the directions aforesaid, the aforementioned writ petitions are disposed of.”

- 2. In view thereto, we **dispose of** the present petition in the aforesaid terms *mutatis mutandis*.
- 3. All pending applications in this case are disposed of accordingly.

[SANJEEV PRAKASH SHARMA]
JUDGE

[MEENAKSHI I. MEHTA]
JUDGE

July 4, 2025
Ess Kay

Whether speaking / reasoned	:	Yes	/	No
Whetpher Reportable	:	Yes	/	No