

CWP-18461 of 2025

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

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CWP-18461 of 2025

DATE OF DECISION :-07.07.2025

Ajay Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

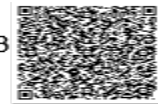
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Deepak Gupta, Advocate for the petitioners.

SANJEEV PRAKASH SHARMA, J. (ORAL)

1. Notice of motion.
2. Mr. Vivek Chauhan, Addl. A.G., accepts notice on behalf of the respondents.
3. Both learned counsel for the petitioner as well as learned State counsel are *ad idem* that the issue raised in the present petition challenging the provisions of the Act have been examined at length 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.

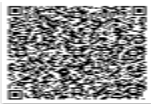
96. In Conclusion, it is held as follows:

(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



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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.”

4. In view thereto, we ***dispose of*** the present petition in the aforesaid terms.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

07.07.2025
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No