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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCOCP-2902-2024 (O&M)
Date of decision: 28.11.2025

R.S. DHULL

..Petitioner

Versus

T.V.S.N. PRASAD, CHIEF SECRETARY HRY

..Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

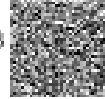
Present: Mr. Harikesh Singh, Advocate
Mr. Balraj Dhull, Advocate
for the petitioner.

Mr. Ram Karan Sharma, DAG, Haryana.

SUDEEPTI SHARMA, J. (Oral)

1. The contempt petition has been filed for deliberate and intentional disobedience of order dated 09.04.2024 passed in LPA-2016-2019.
2. The relevant paras of order dated 09.04.2024, are reproduced as under:-

*“11. In **M.R.Gupta** (supra), the Central Administrative Tribunal had denied the benefit of pay fixation to the petitioner on the ground of approaching the Tribunal belatedly. Since we have reached to the conclusion that there was no deliberate delay on the part of the appellant, the judgment of **M.R.Gupta** (supra) will have no application to the facts of the present case. Moreover, it is a continuous cause and the appellant has been subjected to continuous wrong as the period of his service has been denied as qualifying period for the purpose of assessing his final pension.*



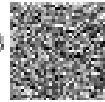
12. This Court is of the further view that the order passed by the learned Single Bench requires to be modified and the directions to pay arrears for 38 months prior to the date of filing of the writ petition is found to be without any basis and, therefore, is set aside. The appellant would be entitled to all the consequential benefits from the date these were due.

13. In view of the above, the appeal is allowed to the aforesaid extent. It is directed that in terms of the order passed by the learned Single Bench the appellant would be entitled to fixation of his revised pension by counting the period of service upto July 1968 and further he would also be entitled to actual arrears and interest thereon @ 9% per annum upto the date of payment.”

3. In compliance of order dated 09.04.2024, affidavit of Mr. Rahul Hooda, IAS, Special Secretary to Government of Haryana, Revenue and Disaster Management Department dated 22.08.2025/01.09.2025 has been filed, which is taken on record.

4. The relevant paras of affidavit dated 22.08.2025/01.09.2025 are reproduced as under:-

“5. That the benefit of military service rendered by the petitioner was already granted and the period has been considered for the benefit towards pension. It is submitted that the arrears have also been released in favour of the petitioner. In this regard, the detailed speaking order was also passed vide order dated 27.11.2024 of the Government, the copy of the same is annexed as Annexure- R-2. It is submitted that the details of the benefits, including seniority and financial have been detailed in the speaking order.



6. That, during the course of hearing the present contempt petition, the petitioner has also claimed for selection to HCS/IAS. It is submitted that the Hon'ble High Court while deciding CWP No. 14360 of 2008 vide order dated 30.11.2016 has already decided the issue, the relevant portion of said order is reproduced as below:-

"...Whether the petitioner is liable to be promoted to HCS and is to be considered as IAS?

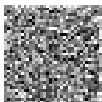
Since the petitioner had superannuated and it is clear that the case of the petitioner was rejected by the selection committee and he had unsuccessfully contested the said order up to Apex Court, therefore, the Ypetitioner is not entitled to the promotion sought for by him to the post of HCS Executive/IAS."

Therefore, the claim stood rejected and had also been decided by the Selection Committee. It is pertinent to mention that in the earlier round of litigation, the matter has been settled up to Hon'ble Supreme Court, whereby the petition filed by him was dismissed vide order dated 16.03.2007 in CA No. 002165 of 1998 in case titled as "Ex. Capt. R.S. Dhull Versus State of Haryana.

7. That this Hon'ble Court, during the course of hearing the matter on 01.04.2025, has observed for submitting the status of grant of benefit of increments to the petitioner. The order dated 01.04.2025 is reproduced as below:-

"Learned counsel for the respondent prays for a week's time to get updated instructions with respect to grant of benefit of increments to the petitioner."

8. That in compliance of above mentioned department's orders dated 09.09.2024, the Deputy Commissioner, Gurugram has issued the pay fixation orders of the petitioner vide his order dated 04.10.2024, wherein all



the increments w.e.f. 14.07.1969 as Tehsildar has already been given to the petitioner. It is submitted that while fixing the pay vide aforesaid order dated 14.10.2024 at level of Deputy Commissioner, Gurugram, the date of promotion as District Revenue Officer was inadvertently and erroneously mentioned as 12.10.1978 while the date of promotion was w.e.f. 15.03.1982, therefore, Deputy Commissioner re- fixed the pay vide order dated 11.08.2025, the copy of the same is annexed as Annexure-R-3. As such, the State reserves the right for recovering the amount of excess payments, if any, made in view of said re-fixation. It is submitted that the petitioner has been paid all the benefits, including consequential, in compliance to the directions passed by this Hon'ble Court in LPA No. 2016 of 2019, therefore, the compliance has been fully made out.”

- 5. A perusal of above shows that order dated 09.04.2024 passed in LPA-2016-2019 has been complied with.
- 6. In view of the same, the contempt is purged and rule is discharged.
- 7. All the pending miscellaneous applications, if any, are also disposed of.

November 28th, 2025
Ayub

(SUDEEPTI SHARMA)
JUDGE

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