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

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CWP-20777-2025

Date of Decision: 30.07.2025

Sheela Malik

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Rajbir Singh Kadian, Advocate for the petitioner

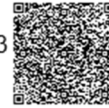
Ms. Tanushree Gupta, Senior Deputy Advocate General,
Haryana

Mr. Raman B. Garg, Advocate for respondents no.3 to 5

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the order dated 05.12.2024, Annexure P-8, whereby the petitioner's basic pay has been refixed at ₹50,200 as on 01.07.2024.

2. Learned counsel for the petitioner contends that the petitioner was working as Lab Attendant in B.P.S. Mahila Polytechnic under the University, and retired on 31.08.2024. While in service she was given the benefit of 1st, 2nd and 3rd ACP grades, as apparent from orders dated 19.07.2014, 22.10.2010 and 08.05.2019, Annexures P-4 to P-6 respectively. Accordingly, her pension was fixed at ₹29,200 on the basic pay of ₹58,400. The basic pay has now been refixed to ₹50,200 vide office order dated 05.12.2024, Annexure P-8, by excluding the benefit of 3rd ACP grade, though it stands granted to her vide office order dated 08.05.2019. He also contends that the impugned order has been passed with reference to judgement dated 05.01.2021, passed by this



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Court in CWP-11686-2004 titled *Haryana State Adhyapak Sangh v. State of Haryana and others*, which has no application to the facts of the instant case, as it relates to grant of ACP scales to the aided institutes, whereas the respondent Institute is being run by the University itself.

3. Learned counsel appearing on behalf of respondents no.3 to 5/University fairly submits that the impugned order dated 05.12.2024 is non-speaking, and he has instructions to submit that the University will re-consider the issue, including applicability of the aforementioned judgment, and also grant an opportunity of hearing to the petitioner. In case need arises, a show cause notice will also be issued.

4. In view of the statement made, the petition is disposed of directing the fourth respondent/Registrar, BPS Mahila Vishwavidalya Khanpur Kalan, to re-consider the impugned office order dated 05.12.2024, and pass a fresh order in accordance with law after affording due opportunity of hearing to the petitioner, within a period of three months.

(TRIBHUVAN DAHIYA)
JUDGE

30.07.2025

Payal

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No