



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

290+111

Date of decision: 20.08.2025

1. CWP-10631-2023 (O&M)

Sudesh Kumari and another		Petitioners
	Versus	
State of Haryana and others		Respondents

2. CWP-10817-2023 (O&M)

Ashok Kumar and others		Petitioners
	Versus	
State of Haryana and others		Respondents

3. CWP-10828-2023 (O&M)

Deepak Kumar and another		Petitioners
	Versus	
State of Haryana and others		Respondents

4. CWP-10833-2023 (O&M)

Saroj Kumari		Petitioner
	Versus	
State of Haryana and others		Respondents

5. CWP-10878-2023 (O&M)

Parmil Saini and another		Petitioners
	Versus	
State of Haryana and others		Respondents

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6. CWP-10916-2023 (O&M)

Savitri Devi and others		Petitioners
	Versus	
State of Haryana and others		Respondents

7. CWP-10929-2023 (O&M)

Roshni Devi		Petitioner
	Versus	
State of Haryana and others		Respondents

8. CWP-18738-2023 (O&M)

Parmil Lata		Petitioner
	Versus	
State of Haryana and others		Respondents

9. CWP-19930-2023 (O&M)

Usha Rani		Petitioner
	Versus	
State of Haryana and others		Respondents

10. CWP-19959-2023 (O&M)

Saroj Kumari		Petitioner
	Versus	
State of Haryana and others		Respondents

11. CWP-19969-2023 (O&M)

Neelam Devi		Petitioner
	Versus	
State of Haryana and others		Respondents

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12. CWP-20069-2023 (O&M)

Usha Rani and another		Petitioners
	Versus	
State of Haryana and others		Respondents

13. CWP-20082-2023 (O&M)

Karmani Devi		Petitioner
	Versus	
State of Haryana and others		Respondents

14. CWP-20091-2023 (O&M)

Ashok Kumar		Petitioner
	Versus	
State of Haryana and others		Respondents

15. CWP-21502-2023 (O&M)

Sudesh Kumari and another		Petitioners
	Versus	
State of Haryana and others		Respondents

16. CWP-24336-2023 (O&M)

Roshni Devi		Petitioner
	Versus	
State of Haryana and others		Respondents

17. CWP-24350-2023 (O&M)

Deepak Kumar		Petitioner
	Versus	
State of Haryana and others		Respondents



18. CWP-26463-2023 (O&M)

Roshni Devi

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rohit Seth, Advocate
for the petitioner(s) in CWP Nos.10631, 10817, 10828,
10833, 10878, 10916, 10929 of 2023.

Mr. Anurag Goyal, Advocate
for the petitioner(s) in CWP Nos.18738, 19930, 19959,
19969, 20069, 20082, 20091 of 2023.

Mr. Aman Pal, Advocate
with Mr. Rajender Kumar, Advocate
for the petitioners in CWP-21502-2023.

Mr. Sunil Agnihotri, Advocate
for the petitioner(s)
in CWP Nos.24336, 26463, 24350 of 2023.

Mr. Piyush Khanna, Addl. A.G., Haryana.

Mr. Dheeraj Jain, Sr. Panel Counsel for respondent – UOI.

Mr. Deepak Balyan, Advocate
with Mr. Vicky Chauhan, Advocate,

Mr. Rajesh K. Sheoran, Advocate
for respondents No.3 to 5 in CWP-10828-2023
for respondents No.4 to 6
in CWP-24336-2023 and CWP-24350-2023.

Mr. Sukesh Kumar Jindal, Advocate
for respondent – Red Cross Society
in CWP No.26463 of 2022 and
CWP Nos.10817, 10929, 20069, 20082, 20091,
19969 of 2023.

Mr. Shubham Sharma, Advocate
for Mr. Rajesh Gaur, Advocate
for respondent – Indian Red Cross Society
(in CWP-10631-2023)



Mr. K.K. Gupta, Advocate
for the respondent – Indian Red Cross Society.

HARPREET SINGH BRAR J. (Oral)

1. Vide this common order, I intend to dispose of all the aforementioned writ petitions, as common questions of law and facts are involved for adjudication. For the sake of convenience, facts are taken from CWP-10631-2023.

2. Prayer in the petition (CWP-16031-2023) filed under Article 226 of the Constitution of India, is for issuance of a writ in the nature of mandamus, to declare the action of the respondents in not making payment of salaries to petitioners since June, 2021 till date despite discharging of duties regularly. Further prayer has been made to direct the respondents to release arrears of pending salary to the petitioners with interest thereon @ 12% from date the amount became due till actual payment and in future release the salary in time.

3. On 23.05.2024, the following order was passed by this Court:-

“1. The dispute in the present case is with regard to non-payment of salary to the petitioners, who are working on different posts including ANM in different Red Cross Societies in the State of Haryana and their grievance is that they have been working for large number of years and for about last 2-3 years, they have performed their work and discharged their duties in different Red Cross Societies but have not been paid their salaries. The dispute herein pertains to as to which authority is to pay salary to the petitioners and similar kind of persons. As per the learned counsels for the parties, another issue involved in the



present cases is as to who is the competent authority to take disciplinary action.

2. An affidavit has been filed by the State of Haryana in which it has been so stated that the responsibility for the payment of salary lies with Union of India and appropriate direction can be issued to Union of India in this regard.

3. However, on the other hand, an affidavit has also been filed in CWP-18738-2023 by the Under Secretary, Ministry of Health and Family Welfare Department, Government of India, in which, he has stated that it is the Haryana Government/U.T. who is responsible for recruitment/ engagement of human resource (contractual/conditional/volunteers etc.), including their transfers/termination of services, payment of wages/ remuneration/task based incentives etc.

4. In this way, the responsibility to pay the salary and with regard to other factors is being shifted by the Haryana Government to Union of India and by the Union of India to the Haryana Government. However, it is not disputed anywhere that the petitioners had actually worked and discharged their duties in the different Red Cross Societies.

5. In view of the above and considering the fact that the petitioners have not even been paid salary for about last 2-3 years and responsibility being shifted from one authority to another authority, it will be just and proper and in the interest of justice to issue the directions. The Secretary, Department of Health and Family Welfare, Union of India shall hold a meeting with the Additional Chief Secretary, Department of Health and Family Welfare, State of Haryana and the General Secretary of Indian Red Cross Society, Haryana Branch or any other officer which he deems it fit to be included in the meeting and will consider all these issues with regard to payment of salary and other benefits and also the service conditions etc. of the employees and shall take a conscious decision thereafter within a period of four months from today.

6. It is further directed that so far as the salary of the petitioners and similarly situated persons for the period for which they have actually worked undisputedly is concerned, a separate decision shall be taken in that



regard at the earliest which can be independent of the final outcome of the aforesaid meeting.

7. In other words, the petitioners and such like persons have actually worked and performed their duties and a decision as to who will pay the salary shall be taken at the earliest without prejudice to any final decision which will be taken in the meeting.

8. Salary of the petitioners and similarly situated persons shall be given within a period of two months.

9. Adjourned to 07.11.2024.

10. Photocopy of this order be placed on the files of connected cases.”

4. In compliance thereof, affidavit of Smt. V. Niang Langel, Under Secretary to Government of India, Department of Health and Family Welfare, Ministry of Health & Family Welfare Department, on behalf of respondent No.6 has been filed in the Court today (in CWP-18738-2023), which is taken on record.

5. Learned counsel for respondent – Union of India, submits that minutes of meeting has been attached with the affidavit as Annexure R-6/15 and submits that in compliance of the order passed by this Court, a joint meeting was held between the Secretary, Health and Family Welfare Department and ACS (Health), Government of Haryana, and it was unanimously decided that Government of Haryana will pursue the matter and make the payment of arrears of the concerned employees and also explore the possibility of absorption of the said employees of Red Cross Society under State Health Program.

6. Learned State counsel submits that all the dues as per the entitlement of the petitioners have already been paid upto March, 2025 and the process for regularization of the petitioner(s) is under active

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consideration. A proposal has been submitted with the Finance Department and after obtaining the necessary approvals, further action will be taken within a period of four months and the petitioner(s) would also be paid any other amount, if found due and they will continue to pay the salary of the petitioner(s) as they continued to serve the respective hospitals in the State of Haryana.

7. In view of the above, all the present petition(s) are disposed of.
8. In light of the fact that the petitioner – Usha Rani (in CWP-19930-2023) has passed away, during the pendency of the writ petition, it is made clear that the payment of arrears, if any, be released in favour of her LRs, after due verifications.
9. Pending applications, if any, also stand disposed of.
10. A photocopy of this order be placed on the file of other connected cases.

(HARPREET SINGH BRAR)
JUDGE

20.08.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No