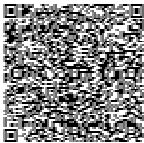


104 (50 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:091980-DB 

LPA-1414-2017 (O&M)
Date of Decision: 23.07.2025

KULWANT SINGH AND OTHERS	...APPELLANTS
V/S	
STATE OF HARYANA & ORS	...RESPONDENTS

LPA-1419-2017 (O&M)

SHYAM SUNDER AND OTHERS	...APPELLANTS
V/S	
STATE OF HARYANA & ORS	...RESPONDENTS

CM-3057-LPA-2017 in/and
LPA-1420-2017 (O&M)

RATTAN LAL & ORS	...APPELLANTS
V/S	
STATE OF HARYANA AND ORS	...RESPONDENTS

CM-3058-LPA-2017 in/and
LPA-1421-2017 (O&M)

RAJESH KUMAR & ORS	...APPELLANTS
V/S	
STATE OF HARYANA AND ORS	...RESPONDENTS

CM-3059-LPA-2017 in/and
LPA-1423-2017 (O&M)

AJAY KUMAR KAUSHIK AND ORS	...APPELLANTS
V/S	
STATE OF HARYANA & ORS	...RESPONDENTS

CM-3060-LPA-2017 in/and
LPA-1424-2017 (O&M)

RANBIR SINGH AND ORS	...APPELLANTS
V/S	
STATE OF HARYANA & ORS	...RESPONDENTS

CM-3066-LPA-2017 in/and
LPA-1428-2017 (O&M)

RAJ KUMAR & ORS

...APPELLANTS

V/S

STATE OF HARYANA AND ORS

...RESPONDENTS

LPA-1429-2017 (O&M)

TEJ PAL AND OTHERS

...APPELLANTS

V/S

STATE OF HARYANA & ORS

...RESPONDENTS

CM-3117-LPA-2017 in/and
LPA-1461-2017 (O&M)

ARVIND KUMAR AND ORS

...APPELLANTS

V/S

STATE OF HARYANA & ORS

...RESPONDENTS

CM-3133-LPA-2017 in/and
LPA-1469-2017 (O&M)

RAJENDER SINGH & ORS

...APPELLANTS

V/S

STATE OF HARYANA AND ANR

...RESPONDENTS

CM-3151-LPA-2017 in/and
LPA-1475-2017 (O&M)

BHAJAN SINGH & ORS

...APPELLANTS

V/S

STATE OF HARYANA AND ORS

...RESPONDENTS

CM-3164-LPA-2017
LPA-1482-2017 (O&M)

KARNAIL SINGH AND ORS

...APPELLANTS

V/S

STATE OF HARYANA AND ORS

...RESPONDENTS

CM-3165-LPA-2017 in/and
CM-3287-LPA-2017
LPA-1483-2017 (O&M)

AJAY KUMAR & ORS

...APPELLANTS

V/S

STATE OF HARYANA & ORS

...RESPONDENTS

CM-3288-LPA-2017 in/and
LPA-1537-2017 (O&M)

RAKESH KUMAR AND OTHERS
V/S
STATE OF HARYANA AND OTHERS

...APPELLANTS
...RESPONDENTS

CM-3289-LPA-2017 in/and
CM-3290-LPA-2017
LPA-1538-2017 (O&M)

SUBHASH CHANDER & ORS
V/S
STATE OF HARYANA AND ORS

...APPELLANTS
...RESPONDENTS

CM-3291-LPA-2017
CM-3292-LPA-2017
LPA-1539-2017 (O&M)

BABU LAL AND ORS.
V/S
STATE OF HARYANA AND ORS

...APPELLANTS
...RESPONDENTS

CM-3297-LPA-2017
CM-3298-LPA-2017
LPA-1543-2017 (O&M)

GURMEJ SINGH & ORS
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3301-LPA-2017
CM-3302-LPA-2017 in/and
LPA-1545-2017 (O&M)

ANIL KUMAR & ORS
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3303-LPA-2017,
CM-3304-LPA-2017 in/and
LPA-1546-2017 (O&M)

DIN DAYAL AND ORS.
V/S
STATE OF HARYANA AND ORS

...APPELLANTS
...RESPONDENTS

CM-3305-LPA-2017 in/and
CM-3306-LPA-2017
LPA-1547-2017 (O&M)

SHOBHIT SINGH & ORS
V/S
STATE OF HARYANA AND ORS

...APPELLANTS
...RESPONDENTS

CM-3307-LPA-2017 in/and
CM-3308-LPA-2017
LPA-1548-2017 (O&M)

MANJIT SINGH & ORS
V/S
STATE OF HARYANA AND ORS

...APPELLANTS
...RESPONDENTS

CM-3311-LPA-2017 in/and
CM-3312-LPA-2017
LPA-1551-2017 (O&M)

RAMESH KUMAR AND ORS
V/S
STATE OF HARYANA AND ORS

...APPELLANTS
...RESPONDENTS

LPA-1557-2017 (O&M)

BRIJ MOHAN AND ORS.
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3320-LPA-2017
CM-3326-LPA-2017
CM-3327-LPA-2017
LPA-1561-2017

VIRENDER SINGH & ORS
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3403-LPA-2017
CM-3404-LPA-2017
LPA-1591-2017 (O&M)

PARDEEP KUMAR AND ORS
V/S
STATE OF HARYANA & ANR

...APPELLANTS
...RESPONDENTS

CM-3407-LPA-2017
CM-3408-LPA-2017
LPA-1593-2017

ROHTAS SINGH & ORS	...APPELLANTS
V/S	
STATE OF HARYANA AND ANR	...RESPONDENTS

LPA-1594-2017 (O&M)

TARA CHAND SHARMA AND ORS	...APPELLANTS
V/S	
STATE OF HARYANA AND ANR	...RESPONDENTS

CM-3409-LPA-2017
CM-3532-LPA-2017
CM-3533-LPA-2017
LPA-1638-2017

RAJPAL & ORS	...APPELLANTS
V/S	
STATE OF HARYANA AND ANR	...RESPONDENTS

CM-3534-LPA-2017
CM-3535-LPA-2017
LPA-1639-2017

SANDEEP KUMAR & ORS	...APPELLANTS
V/S	
STATE OF HARYANA AND ANR	...RESPONDENTS

CM-3719-LPA-2017	
CM-3720-LPA-2017	
LPA-1723-2017	
NARESH KUMAR & ORS	...APPELLANTS
V/S	
STATE OF HARYANA AND ANR	...RESPONDENTS

CM-3737-LPA-2017
CM-3738-LPA-2017
LPA-1733-2017

RAM CHANDER & ORS	...APPELLANTS
V/S	
STATE OF HARYANA AND ANR	...RESPONDENTS

LPA-1734-2017

RANDHIR SINGH AND ORS.	...APPELLANTS
V/S	
STATE OF HARYANA AND ANR	...RESPONDENTS

CM-3739-LPA-2017 in/and
LPA-1760-2017

VIJAY SINGH AND ORS.
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3786-LPA-2017 in/and
LPA-1769-2017

RATTAN SINGH AND ORS.
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3802-LPA-2017 in/and
LPA-1770-2017

OM PARKASH AND ORS
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3803-LPA-2017 in/and
LPA-1776-2017

GURMAIL SINGH & ORS
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3815-LPA-2017 in/and
LPA-1777-2017

SATPAL & ORS
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3816-LPA-2017 in/and
LPA-1778-2017

JITENDER SINGH AND ORS
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3817-LPA-2017 in/and
LPA-1779-2017 (O&M)

OM PARKASH AND ORS.
V/S
STATE OF HARYANA AND ANR

...APPELLANTS
...RESPONDENTS

CM-3818-LPA-2017 in/and
CM-3820-LPA-2017
CM-3821-LPA-2017
LPA-1781-2017 (O&M)

MOHAN LAL BINDAL & ORS
V/S

...APPELLANTS

STATE OF HARYANA AND ANR

...RESPONDENTS

LPA-1783-2017 (O&M)

IJAI NARAIN AND ORS
V/S

...APPELLANTS

STATE OF HARYANA AND ANR

...RESPONDENTS

CM-3823-LPA-2017 in/and
LPA-1797-2017 (O&M)

RAM NIWAS SHARMA AND ORS
V/S

...APPELLANTS

STATE OF HARYANA AND ANR

...RESPONDENTS

CM-3853-LPA-2017 in/and
LPA-1798-2017

RAMESH CHAND AND ORS
V/S

...APPELLANTS

STATE OF HARYANA AND ANR

...RESPONDENTS

CM-3854-LPA-2017 in/and
LPA-1799-2017 (O&M)

SANDEEP KUMAR AND ORS
V/S

...APPELLANTS

STATE OF HARYANA AND ANR

...RESPONDENTS

CM-3855-LPA-2017 in/and
LPA-1801-2017

RAJ KUMAR AND OTHERS
V/S

...APPELLANTS

STATE OF HARYANA AND ANR.

...RESPONDENTS

CM-3859-LPA-2017
CM-3860-LPA-2017
LPA-1802-2017

MADAN LAL & ORS
V/S

...APPELLANTS

STATE OF HARYANA AND ANR

...RESPONDENTS

ASHWANI KUMAR MISHRA, J. (Oral)

1. Issue raised in the present bunch of appeals has already been adjudicated by the Hon'ble Full Bench of this Court in CWP-17310-2015, titled as '**Shamsher Singh and others vs. State of Haryana and others**' and other connected cases. The Full Bench has answered the three questions posed before it in the following terms:-

“67. Keeping in view the factual aspects noticed hereinbefore coupled with the settled principle of law, it cannot be said that the prospective amendment to Part-II Rules, 2009 vide notification dated 25.08.2014 is without jurisdiction or is arbitrary or illegal or violates the Articles 14 and 16 of the Constitution of India.

68. The prayer of the petitioners that the retired employees and the serving employees be treated as homogeneous class cannot be accepted qua the grant of benefit of amended Rule 8(1-A) of Part-II Rules, 2009. The benefit extended to serving employees, who were in service as on the date of amendment of Part-II Rules, 2009 i.e. 25.08.2014 only, cannot be treated as arbitrary and illegal hence, the challenge to the validity of Notification dated 25.08.2014 amending Part-II Rules, 2009 prospectively, needs no interference at the hands of this Court.

69. Further, learned counsel for the petitioners press into operation the judgment of the Division Bench of this Court in State of Punjab and others Vs. A.P. Sharma and others, 2017 (1) SCT 322. The said judgment cannot be made applicable in the facts and circumstances of the present case. Here, the petitioners who are retired employees, are claiming the benefit as extended to the serving employees whereas, the facts in A.P. Sharma and others (supra) were with regard to the revision of the pay scale retrospectively. As the facts of both the cases are different, the benefit of the judgment in A.P. Sharma and others

(supra) cannot be extended to the petitioners so as to claim that the amendment dated 25.08.2014 should be retrospectively made applicable to all the retired employees irrespective of the date of their retirement.

70. Therefore, the challenge to the amendment to Part-II Rules, 2009 dated 25.08.2014 so as to operate upon all the retirees of the State of Haryana cannot be accepted and is accordingly rejected.

71. The writ petitions are accordingly disposed of in terms of the findings recorded here-in-before.”

2. In view of the aforesaid, the instant appeals also stand ***disposed of*** in terms of the Full Bench judgment (*supra*). Liberty stands reserved to the appellants to seek revival of the appeal(s) in the event any contrary view is taken by the Hon’ble Supreme Court in the pending SLP(C) No.027623-027628/2024, SLP(C) No.026086-026088/2024, and SLP(C) No.000443/2025.

3. All pending misc. application(s), if any, also stands disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(KULDEEP TIWARI)
JUDGE

23.07.2025
rajesh

1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No