



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

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CWP-25689-2025
Decided On: 15.09.2025

IRSAD

....PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Talim Hussain, Advocate with
Mr. Mohammad Sabir, Advocate
for the petitioner.

Ms. Tanushree Gupta, Senior Deputy Advocate General,
Haryana.

TRIBHUVAN DAHIYA J.(Oral)

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to refix the petitioner's pay as ₹21,296 with effect from 20.08.2021 at the rate fixed by the Deputy Commissioner (D.C.).

2. Learned counsel contended that the petitioner was appointed on contractual basis as Restorer in Government College for Women, Salaheri, Nuh, on 19.08.2016. At the time of issuing office order dated 20.08.2021 regarding fixation of D. C. rates for the year 2021-22 at Nuh, Annexure P-2, he was already drawing monthly salary of ₹21,296, though D. C. rates for the post were fixed as ₹19,100. The said order was modified vide letter dated 27.09.2021, Annexure P-3, to the effect that employees already engaged on rates higher than the ones decided by the order, shall be continued with earlier rates without any increment. Accordingly, there was no basis for the



respondents to reduce the petitioner's pay to ₹19,100 in terms of the order dated 20.08.2021.

3. Learned State counsel has received instructions from the fourth respondent/Principal, SLKS Government College for Women, vide memo dated 11.09.2025, which is retained on the case file as Annexure 'A'. It is to the following effect:

That the petitioner services' transferred to HKRNL Portal on November, 2022. Further, the petitioner gets the Job Security as per "The Haryana Contractual Employees (Security of Service) Act, 2024" Vide DGHE Memo No.5/4-2024 Lib (2) Dated 27.05.2025. That the petitioner's salary was duly fixed on the D.C. Rate applicable for the financial year 2021-22 at Rs.19,100. Prior to the year 2021-22, no separate D.C. Rate was notified for the post of Restorer in District Nuh. Consequently, in the absence of a specific rate for the said post, the petitioner's salary was inadvertently drawn in accordance with the D. C. Rate fixed for the post of Clerk, which was the nearest comparable category. The said action was taken purely on account of administrative exigency and in good faith, without any malafide intention. (Annexure-1, DC Rates, 2016-17), (Annexure-2 DC Rates 2021-22), (Annexure-3A and 3B Salary Bills of Sh. Irshad).

4. It is an admitted fact on record that the petitioner's services stand transferred to the Haryana Kaushal Rozgar Nigam Limited in November, 2022, but the Nigam has not been impleaded as a party/respondent to the petition. Besides, the fact regarding job security granted to the petitioner in terms of the 2024 Act has also not been disclosed in the petition. Since the petitioner has already been provided job security after having been transferred



to the Nigam about three years ago, this Court finds no justification to entertain the petition and it stands dismissed.

15.09.2025
Ad

(TRIBHUVAN DAHIYA)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>