



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

117

CWP-28759-2025

Date of Decision: 16.10.2025

RAM MEHAR RATHEE

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Sandeep Singal, Advocate for the petitioner.

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

Mr. Jivesh Malik, Advocate for respondent no.3/University.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking a writ of *mandamus* directing the respondents to grant the revised grade pay of ₹5400 to the petitioner for the post of Superintendent in terms of Finance Department order dated 06.01.2010, Annexure P-3, adopted by the respondent/University, vide Executive Council (EC) Resolution no.20 dated 28.03.2012, Annexure P-5, with all consequential benefits.

2. Learned counsel for the petitioner contends that the petitioner retired as Superintendent from the University on 31.12.2009. The Government vide order dated 06.01.2010 revised the grade pay for the post from ₹4600 to ₹5400 with effect from 01.01.2006, which was adopted by the University vide EC Resolution no.20 dated 28.03.2012, Annexure P-5. The benefit, however, has not been given to the petitioner on the ground that approval of the State Government is still awaited, and letters to that effect have already been written to the Director General, Higher Education, on 06.01.2010 and 03.03.2011, as mentioned in reply to the legal notice dated 17.06.2025,

Annexure P-8. The petitioner is not only entitled to the arrears of pay, but also to higher pensionary benefits.

3. Learned counsel for the University submits that the aforementioned EC Resolution was never approved by the Government, and accordingly the same could not have been acted upon by the University. Benefit in terms of the Resolution has not been given to any employee.

4. Learned State counsel, on instructions, submits that the Finance Department order, dated 06.01.2010, was not issued to the University; it was meant only for other Departments/Organisations. And the said EC Resolution was never approved by the Government.

5. It remains undisputed that as per the provisions of Section 9-F of the Maharshi Dayanand University Act, 1975, prior approval of the Government is required for revision of pay scale of the teaching as well as non-teaching employees. Apparently, it is not the petitioner’s case that the EC Resolution has been passed with prior approval of the Government. It is also not the case that subsequent to passing of the EC Resolution it was ever approved by the Government. Therefore, no exception can be taken to the University’s decision not to grant the revised grade pay of ₹5400 to the petitioner for the post of Superintendent.

6. In view thereof, there is no merit in the petition and it stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

16.10.2025
Ad

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