



CWP-34117-2024

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

105

CWP-34117-2024

Date of Decision: 13.02.2025

Hoshiyar Singh Rawat and others

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Manoj Sharma, Advocate for the petitioners

Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed *inter alia*, seeking a writ of *certiorari* quashing the orders dated 29.12.2020 and 30.11.2023, Annexures P-4 and P-5 respectively, whereby directions have been given to re-fix the petitioners' pay and effect recovery by withdrawing the benefit of stepping up of pay earlier given.

2. Learned counsel contends that under similar circumstances this Court has disposed of the petition, CWP-7573-2021 titled *Bimal Kishore and others v. State of Haryana and others*, vide order dated 21.03.2023, in the following terms:

It is not disputed that the pay of the petitioners was fixed post the Notification issued by the Government of Haryana. It is also not disputed that vide order dated 05.04.2021 passed by a Coordinate Bench of this Court, the recovery notices (impugned herein) have been stayed.



Without commenting anything on the merits of the case, the present petition is disposed of, with a direction that the operation of the order dated 05.04.2021 passed by a Coordinate Bench of this Court shall remain in force and the respondent-Departments are directed not to effect any recovery, till the decision of Samunder Singh's case (supra).

The petitioners herein are similarly situated employees, as the petitioners of *Bimal Kishore* case, and are claiming that similar directions be issued in their case as well.

3. Learned State counsel, on instructions, contends that no recovery has been effected from the petitioners No.5, 7, 8, 10, 13, 15, 16, 26, 30, 38, 40, 41, 78, 79 and 80. Regarding rest of the petitioners, she is not in a position to dispute that they are not similarly placed as the petitioners in *Bimal Kishore* case.

4. Accordingly, the petition stands disposed of by restraining the respondent Department from effecting recovery from the petitioners, other than the ones mentioned above, till final decision of the case, CWP No.12052 of 2019, titled *Samunder Singh and others v. State of Haryana and others*.

(TRIBHUVAN DAHIYA)
JUDGE

13.02.2025
Payal

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No