



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

CWP-6591-2026

Date of decision: 30.04.2026

Balram and others

....Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jaspal Singh Maanipur, Advocate
for the petitioners.

Mr. Vikrant Pamboo, Advocate
for respondents No.2 & 3.

HARPREET SINGH BRAR, J. (ORAL)

1. The present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to grant the technical pay scale to the petitioners of Rs.1200-2040 in terms of the notification dated 23.08.1990 vide serial No.40 which was made applicable from 01.05.1990 from the date when they completed the experience of three years from their joining to the technical posts for which the qualification is ITI certificate in terms of the then prevalent instructions/rules which was introduced by the State of Haryana and further revised from time to time. Further, directing the respondents to take a final decision on the legal notice dated 18.09.2025 (Annexure P-4).

2. Learned counsel for the petitioners *inter alia* contends that the petitioners retired from the Haryana Dairy Development Co-operative Federation Ltd. Who served in technical posts with initial joining dates ranging from 1978 to 1983. The Government of Haryana vide notifications dated



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23.08.1990 and 26.07.1991 introduced a technical pay scale w.e.f. 01.05.1990 for technical posts requiring matric with ITI/polytechnic qualification. The litigation regarding entitlement to this scale resulted in the issuance of general directions on 09.08.2010 (Annexure P-1) to grant the benefit notionally from 01.05.1990 and actually from the year 2010. The Government of Haryana sought to withdraw these benefits by notifying the Haryana (Abolition of Distinction of Pay Scale between Technical and Non-Technical Posts) Act, 2014 which was challenged before this Court in CWP No.11710 of 2017 titled as ***Sarbans Singh and others Vs. The State of Haryana and others*** decided on 25.03.2025 (Annexure P-2) by holding that the Act has to be applied prospectively.

2.2. Pursuant to the judgment, the respondents granted technical pay scale to the employees of Milk Plant Jind including Hukam Chand and others vide order dated 18.06.2025 (Annexure P-3). The petitioners being similarly situated served a legal notice on 18.09.2025 (Annexure P-4) claiming the same benefit, which remained unheeded.

3. Learned counsel for respondents No.2 & 3 submits that the petitioners are fence sitters. While others challenged the vires of the 2014 Act immediately by filing CWP No.11710 of 2017, the petitioners chose not to do so and once a favourable order was passed in favour of the petitioners therein, the petitioners have now claimed benefit of the said judgment.

4. Learned counsel for the petitioners submits that he would be satisfied if the legal notice (Annexure P-4) of the petitioners is decided by respondents No.2 & 3 by passing a speaking order in a time bound manner.

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5. Learned counsel appearing on behalf of respondents No.2 & 3 submits that he has no objection in case a direction is issued to respondent No.2 for time-bound consideration and decision of the legal notice of the petitioners by passing a speaking order.

6. Therefore, in view of the limited prayer made by learned counsel for the petitioners, respondents No.2 & 3 are directed to consider the legal notice (Annexure P-4) of the petitioners and pass a speaking order, after affording them an opportunity to be heard, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioners. Needless to say, if the petitioners are found entitled to the relief sought, the same shall be granted forthwith by respondents No.2 & 3.

7. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

30.04.2026*Neha*

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