

2026:PHHC:052867



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

CWP-10459-2026

Date of decision: April 07, 2026

VARUN SHARMA AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Anshul Labana, Advocate
for the petitioners.

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

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed seeking a writ of *mandamus* directing the respondents to implement the decision dated 06.01.2024, taken by the Chief Minister, whereby a higher pay scale for the post of Tabla Players, against which the petitioners are working in the respondent-Department since 2019-2021, has been approved.

2. Learned counsel for the petitioners contended that regarding the grievance raised by the petitioners seeking higher pay scale, a proposal made by the Department for pay scale of ₹29200-92300 to Tabla Players was placed before the Chief Minister, which has been reproduced in the petition and reads as under:

According to the orders of Worthy Additional Director
Administration, if the pay scale of Rs.29200/- is proposed to be

given to 32 sanctioned posts of Tabla Players then the following financial implication will arise on paying the same:-

Existing Pay & Allce		Proposed Pay & Allce		
Existing starting pay as per FPL-1 (18000-56900)	18000	Starting Pay as per FPL-5 (29200-92300)	29200	There are total 32 sanctioned posts of Tabla Players out of which at present 29 posts are filled up
Fixed Medical Allce	1000	Fixed Medical Allce	1000	
DA @ 38%	6840	DA @ 38%	11096	
HRA @ 8%	1440	HRA @ 8%	2336	
Total	27280	Total	43632	
The existing and proposed financial implication of these posts are as under:-				
32 x 27280 = 872960		32 x 43632 = 1396224		523264/- (For 32 posts)
29 x 27280 = 791120		29 x 43632 = 1265328		474208/- (For 29 posts)

The same was approved by the Chief Minister on 06.01.2024, as conveyed by Additional Principal Secretary to Chief Minister by way of the noting, “CM has approved the proposal at ‘X’ on MP-104/n subject to concurrence of FD.” Accordingly, after this approval there is no reason for the Department to withhold the higher pay scale to the petitioners. Even as per the standing order dated 04/17.04.2006, Annexure P-3, the Government is bound to give effect to the orders passed by the Chief Minister.

3. Learned State counsel, however, contended that the approval by the Chief Minister was subject to concurrence of the Finance Department, and the matter was referred to it for its approval. The Finance Department, however, did not approve the proposal and issued an advisory to take up the matter at the time of 8th Central Pay Commission. She has received instructions to that effect from respondent no.2/Director General, Higher

Education, vide memo dated 07.04.2026, which is retained on the case file as Annexure 'A'.

4. Considering the submissions, this Court is not inclined to entertain the petition. The sole argument raised by learned Senior counsel is that after approval of the proposal to give higher pay scale to Tabla Players by the Chief Minister on 06.01.2024, there is no impediment with the Department in giving effect to the proposal and releasing the scales. The argument has no substance as a perusal of the note conveying the approval of the Chief Minister itself shows that the same is subject to concurrence of the Finance Department, and it remains undisputed that the Finance Department has not concurred to the proposal by returning the file with the advice to the respondent-Department to take up the matter before the 8th Central Pay Commission. And the Department has undertaken to do so. The instructions received by learned State counsel to that effect read as under:

In the matter, it is submitted that in compliance of approval of Hon'ble Chief Minister regarding revising the scale of Tabla Player from FPL-1 to FPL-5, the case was submitted by the answering respondent department i.e. Higher Education Department for approval of Finance Department Haryana whereby Finance Department has advised to take up the matter at the time of 8th Central pay Commission. Therefore, at present no action can be taken by the answering respondent department regarding revision of scale of the petitioner. The matter will be re-submitted for approval of Finance Department at the time of 8th Central Pay Commission.

There is nothing illegal or arbitrary about the decision taken.

5. In view thereof, there is no ground to entertain the petition and it stands dismissed.

April 07, 2026
Jaspreet Kaur

(TRIBHUVAN DAHIYA)
JUDGE

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