



CWP-14421-2000

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CWP-14421-2000 (O&M)  
Date of Decision:07.04.2025

I.K. Sharma

...Petitioner(s)

Versus

Haryana Agriculture University, Hisar and others...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present:- Mr. T.P. Singh, Advocate for the petitioner

Mr. Shreenath A. Khemka, Advocate  
for the respondents/University.

**TRIBHUVAN DAHIYA, J. (Oral)**

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the order dated 05.09.1983, Annexure P-2, stopping efficiency bar, which was stately passed without affording any opportunity of hearing to the petitioner, as also the order dated 19.12.1998, Annexure P-4. Further, a writ of *mandamus* has been sought directing the respondents to remove the efficiency bar and pay the consequential benefits to him.

2. As per facts of the case in brief, the petitioner joined as Clerk in the University in 1969, and was confirmed as such in 1976. He was later charge-sheeted for wrongly giving himself advance increments vide chargesheet dated 13.07.1983. After conclusion of the inquiry, the order of punishment dated 05.06.1993 was passed reducing his pay and effecting recovery of the excess amount paid. The punishment order was challenged by him before the Civil Court by filing a suit for declaration, which was dismissed vide judgment dated 02.12.1995, Annexure P-5.



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3. It is categorical stand by the University that the impugned order, dated 05.09.1983, is no longer operative as vide this order the petitioner's annual increments/crossing of efficiency bar at the rate of six hundred was withheld till the final decision of his chargesheet, which already stands decided as the order of punishment has been passed and challenge against the same has also been declined. The second order dated 19.12.1998, allowing the petitioner to cross the efficiency bar in the pay-scale of ₹1200-2040 with effect from 01.01.1998, was mistakenly issued by the University as he had already been placed in the higher pay-scale. It has been specifically stated in the written statement, '*...After fixing his pay in the revised scale of Rs.1200-2040 w.e.f. 1.1.86 his efficiency bar became due on 1.1.98 raising his pay from Rs.1560/- to Rs.1600/- which has been allowed to be crossed vide order dated 19.12.98. These orders though has become infructuous in view of grant of pay scale of Rs.1600-2660 w.e.f. 1.1.94, but since it has been done wrongly by mistake, the University shall take appropriate steps in this regard in accordance with law. Importantly to mention her that the plaintiff did not suffer any financial loss due to allowing him to cross the efficiency bar in the pay scale of Rs.1200-2040 w.e.f. 1.1.98.*'

4. In view of the aforesaid undisputed facts, nothing survives for adjudication, and the petition stands disposed of.

5. Pending application(s), if any, also stand(s) disposed of.

(TRIBHUVAN DAHIYA)  
JUDGE

07.04.2025

Payal

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