2025:PHHC:026379

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH.

201

CWP-5960-2006 (O&M).
Date of Decision: 24.02.2025.

RAM KUMAR AND OTHERS

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Umesh Sharma, Advocate, for
Mr. Sanjiv Gupta, Advocate,
for the petitioners.

Ms. Tanisha Peshawaria, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition had been filed challenging the orders dated 17.02.2006 (Annexures P-1 and P-2) whereby the pay of the petitioners has been reduced by way of re-fixation after taking the benefit of bunching and under the aid of the instructions dated 22.08.2003.

2 The petitioners herein were working as Sub Inspectors, Conductors, Mechanics and Tyreman etc. in Haryana Roadways, Panipat in the pay scale which was derived by them in different old pay scales as well

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as in the revised pay scales of their respective posts. The pay of the petitioners was fixed as per the provisions of Haryana Civil Services (Revised Pay Scale) Rules, 1998 while also considering the ACP Rules.

3 Notwithstanding the entitlement of the petitioners, the benefit of bunching already extended to the petitioners was sought to be withdrawn by relying on the instructions dated 22.08.2003 and a show cause notice was accordingly sent upon the petitioners to which the reply was filed by few of them. In the same time, the instant writ petition was also preferred.

4 During the pendency of the present writ petition, counsel for the petitioners submitted that the case of the petitioners is squarely covered by the ratio of the judgment in the matter of ***Om Parkash and others Vs. State of Haryana and others, reported as 2008 (4) RSJ 35*** wherein the instructions that are referred to and relied upon by the respondents stand quashed by the High Court.

5 Learned State counsel was directed to seek instructions in this regard.

6 State counsel is not in a position to dispute that a bunch of 140 writ petitions approximately had been decided by a common judgment passed by the High Court wherein the said instructions were quashed.

7 In view of the above and noticing failure on the part of the respondents to distinguish that the claim of the petitioners is not covered by

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the instructions dated 22.08.2003, the present writ petition is disposed of in terms of the judgment passed in ***Om Parkash and others*** (supra).

February 24, 2025. **(VINOD S. BHARDWAJ)**
raj arora **JUDGE**

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

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