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**(2012) 09 P&H CK 0159**  
**In the Punjab And Haryana At Chandigarh**  
**Case No : CWP No. 18379 of 2012**

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|-----------------------------|----|------------|
| Gurdial Gupta and others    | Vs | APPELLANT  |
| State of Haryana and others |    | RESPONDENT |

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**Date of Decision :** 17-09-2012

**Acts Referred:**

**Citation :** (2012) 09 P&H CK 0159

**Hon'ble Judges :** Augustine George Masih, J

**Bench :** Single Bench

**Advocate :** J.S. Chahal, for the Appellant;

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## Judgement

Augustine George Masih, J.—Petitioners have approached this Court claiming arrears of pay on the grant of the pay scale of Rs. 6500-10500 + PB4200 w.e.f. 01.01.2006, which was denied to the petitioners by order dated 20.08.2009 (Annexure-P-1) passed by the respondents as they were only granted initial fixation of pay w.e.f. 01.01.2006 to 01.09.2009. It is the contention of the counsel for the petitioners that this order of the Government of Haryana dated 20.08.2009 (Annexure-P-1) was quashed by this Court in CWP No. 511 of 2011 titled as Jaspal Singh and others vs. State of Haryana and others, decided on 22.05.2012 (Annexure P-2). With the quashing of the said order, the only impediment which barred the grant of arrears to the petitioners becomes non-existent, therefore, cannot be pressed into service to deny the petitioners the arrears as pay scale has already been granted to them by the Government itself. Petitioners claiming the same benefit have submitted a representation dated 09.07.2012 (Annexure-P-3) to the respondents, but without any relief.

2. Counsel contends that the petitioners, at this stage, would be satisfied, if direction is issued to respondent No. 1- Principal Secretary, Education Department, Haryana to consider and decide the representation of the petitioners dated 09.07.2012 (Annexure-P-3), within some specified time.

3. Without going into the merits of the case or commenting thereon, the present

writ petition is disposed of with a direction to respondent No. 1- Principal Secretary, Education Department, Haryana, to consider and decide the representation of the petitioners dated 09.07.2012 (Annexure-P-3), within a period of three months from the date of receipt of certified copy of this order. The decision, so taken, be conveyed to the petitioners forthwith. In case the petitioners are held entitled to the claim made by him through their representation dated 09.07.2012 (Annexure-P-3), the consequential benefits, if any, be released to them, in accordance with law, within a further period of one month. If the claim as projected by the petitioners through their representation dated 09.07.2012 (Annexure-P-3) is not to be accepted, then a speaking and well reasoned order be passed by the respondents and the same be conveyed to the petitioners forthwith.