
(2014) 05 P&H CK 0626
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No.10406 of 2014

Hukam Chand Gupta

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 26-05-2014

Acts Referred:

Citation : (2014) 05 P&H CK 0626

Hon'ble Judges : Augustine George Masih, J

Bench : Single Bench

Advocate : Sandeep Panwar, Advocate for the Appellant

Final Decision : Disposed Off

Judgement

Augustine George Masih, J.—Petitioner has approached this Court praying for issuance of a writ of mandamus directing the respondents to re-fix his pay in Rs. 13500-17250 as per the Haryana Civil Services (Revised Pay) Rules, 1998 instead of Rs. 12000-16500 granted to him as per the Haryana Civil Services (Assured Career Progression) Rules, 1998.

2. The claim of the petitioner is stated to be covered in his favour by the notification dated 07.01.2002 (Annexure P-6). Similarly placed employees had earlier approached this Court by filing various writ petitions, one of which was CWP No. 5520 of 2003, titled as S.P. Sood Versus State of Haryana & others, decided on 02.02.2009. State of Haryana preferred Letters Patent Appeal No. 1008 of 2010 against the said order, which was dismissed on 12.10.2010 by the Division Bench. Copy of the said order is appended as Annexure P-7. Further, large number of writ petitions were filed which were also allowed by this Court. The benefit as claimed by the petitioner is stated to be covered in his favour by these judgments. Petitioner has preferred a representation dated 11.04.2014 (Annexure P-9) addressed to the Engineer-in-Chief, Irrigation Department, Haryana-respondent No. 3, but no response to that has been received so far.

3. Counsel for the petitioner submits that the petitioner shall file a detailed

representation within a period of four weeks from today to the Financial Commissioner and Principal Secretary, Department of Irrigation-respondent No. 1 putting forth his claim based upon the judicial precedents, which may be directed to be considered and decided by the said respondent within some specified time.

4. In view of the statement made by the counsel for the petitioner and without going into the merit of the case or commenting thereon, the present writ petition is disposed of with liberty to the petitioner to file a detailed representation to respondent No. 1 within a period of four weeks from today. If such a representation is filed within the stipulated period, the same shall be considered and decided by respondent No. 1 within a period of four months from the date of receipt of certified copy of this order.

5. In case the claim of the petitioner is not to be accepted, then a well reasoned and speaking order be passed and conveyed to the petitioner forthwith.