
(2012) 09 P&H CK 0246
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 15390 of 2012

Shish Pal and Others

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 19-09-2012

Acts Referred:

Citation : (2012) 09 P&H CK 0246

Hon'ble Judges : Augustine George Masih, J

Bench : Single Bench

Advocate : Sanjiv Gupta, for the Appellant;

Judgement

Augustine George Masih, J.—Counsel for the petitioners prays for withdrawal of the writ petition qua petitioners No. 10, 13, 17 & 29 with liberty to file a fresh petition on their behalf. Prayer granted.

2. Writ petition qua petitioners No. 10, 13, 17 & 29 is permitted to be withdrawn with the liberty aforesaid.

3. Counsel for the petitioners contends that the petitioners were appointed and holding technical posts for which the minimum qualification has been prescribed in the statutory Rules i.e. Haryana Transport Department (Group C) Haryana Roadways Service Rules, 1995 notified on 6.1.1995. He contends that the petitioners were appointed prior to the coming into force the said statutory rules and, therefore, in the light of the policy decision of the Government of Haryana dated 23.8.1990 (Annexure P-2) the petitioners are entitled to grant of technical pay scale of Rs. 1200-2040 with effect from the date of coming into force the statutory Rules or appointment, whichever is earlier.

4. He further states that the claim of the petitioners is covered by the judgment of this Court passed in CWP No. 18754 of 1991 (Gurdev Singh & Ors. vs. State of Haryana and others) decided on 18.1.2010 (Annexure P-4).

5. Claiming the said benefits the petitioners have submitted representation dated

29.4.2012 (Annexure P-3) to the General Manager, Haryana Roadways, Hisar-respondent No. 4 but till date no decision thereon has been taken by the respondents.

6. Learned counsel for the petitioners contends that the petitioners, at this stage, would be satisfied if a direction is issued to the General Manager, Haryana Roadways, Hisar-respondent No. 4 to consider and decide the representation dated 29.4.2012 (Annexure P-3) within some specified time.

7. Without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the General Manager, Haryana Roadways, Hisar-respondent No. 4 to consider and decide the representation dated 29.4.2012 (Annexure P-3) within a period of two 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 them through their representation dated 29.4.2012 (Annexure P-3), the consequential benefits, if any, be released to them, in accordance with law, within a further period of two months. If the claim of the petitioners is not to be accepted, a well reasoned and speaking order be passed and conveyed.