

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.9998 of 2015
Date of decision: 29.05.2015

Jatinder Kumar and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. AK Walia, Advocate, for the petitioners.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Writ in the nature of mandamus is prayed for, so as to direct the respondents to grant special pay/special allowance to the petitioners in terms of the instructions dated 05.07.2011 (Annexure P1) and further to grant them special increment in terms of the instructions dated 14.11.2011 (Annexure P2), from the due date. And the arrears be released along with interest. It is averred that all the petitioners are working as drivers under respondent No.3 and have been discharging their duties beyond working hours including holidays and Sundays. Instructions issued by the Government of Punjab to afford special pay/special allowance to all such drivers, other than those, who were working in Secretariat, fully apply to the petitioners. So much so, another instructions dated 14.11.2011, envisage special increment w.e.f.

01.12.2011, for such drivers, who are in regular service before 01.12.2011, to be calculated in terms of the Rule 9 of the Punjab Civil Services (Revised Pay) Rules, 2009. It is maintained that prior to the institution of this petition, petitioners had even represented to respondent No.3, in this regard, vide representation dated 12.11.2014 (Annexure P3). But to no avail.

Learned counsel for the petitioners submits that let this petition, at this stage, be disposed of only with a direction to respondent No.3, to consider and decide their representation (Annexure P3) within a specified time.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.3, to consider and decide the claim of the petitioners, as set out in their representation dated 12.11.2014 (Annexure P3), strictly in accordance with law, within a period of 3 months from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

May 29, 2015
Rajan

(Arun Palli)
Judge