

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Letters Patent Appeal No.296 of 2015 (O&M)
DATE OF DECISION: 24.02.2015

State of Punjab

....Appellant

versus

Gurmeet Singh and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vinod S. Bhardwaj, Addl. A.G., Punjab
for the appellant

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral) :

This is an appeal against the order of the learned single Judge in so far as the appellant has been directed to pay the respondent-employees arrears on account of re-fixation of their salary for a period of three years from the date of the legal notice i.e. 27.10.2009.

2. One Jaswant Kaur, belonging to the Scheduled Caste category was promoted as a Senior Assistant on 14.02.1986. The original petitioners/respondents No.1 and 2 were promoted on 25.01.1994 and 02.03.1998, respectively. As the original petitioners were senior to said Jaswant Kaur, they were given the benefit of seniority as per the judgment of the Supreme Court in Ajit Singh Janjua and others vs. State of Punjab and others, 1999(4) RSJ 211. The only question was whether they were entitled to the salary on parity with her.

3. As we mentioned earlier, respondents No.1 and 2/original petitioners were appointed on 25.01.1994 and 02.03.1998. The learned Judge has, however, granted them arrears only from 27.10.2009 i.e. from the date of the legal notice. Thus, they have not even been given the arrears from the date of their appointment in the promotional post. The arrears do not pertain to the period prior to their appointment to the promotional post.

4. In the circumstances, the appeal is dismissed.

As we have dismissed the appeal itself, the delay in filing the appeal stands condoned.

**(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE**

24.02.2015
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**(AUGUSTINE GEORGE MASIH)
JUDGE**