

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

**C.W.P. No. 18053 of 2016
Date of Decision:- 01.09.2016**

PREM PARKASH & ORS.

....Petitioners

VS.

STATE OF PUNJAB & ANR.

....Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. P.S. Khurana, Advocate,
for the petitioners.

DAYA CHAUDHARY, J. (Oral)

Learned counsel for the petitioners submits that similarly situated employees have been granted the benefit of salary in the higher pay scale to the post of Junior Engineer for the period they have worked on the said post whereas the petitioners have not been granted the same benefit. Similar writ petition bearing CWP No. 11849 of 2016 titled as **Balwinder Kumar and others vs. State of Punjab and others** was filed before this Court which was disposed of on 9.8.2016 with a direction to respondent No.2 to consider the claim of the petitioners in ratio of judgment passed in **CWP No.10529 of 2011** titled as **Basant Singh and others vs. The State of Punjab and others**, decided on 3.6.2011, **CWP No. 13002 of 2012** titled as **Hardev Singh and another vs. State of Punjab and others** decided on 6.12.2012 and **CWP No. 19589 of 2015** titled as **Gurvinder Kumar and another vs. State of Punjab and another**, decided on

31.03.2016.

Learned counsel for the petitioners also submits that petitioners have served legal notice dated 15.04.2016 upon respondents No.1 and 2 (Annexure P-14) and no action has been taken thereon so far. The petitioners would be satisfied in case the same directions are issued in this case as were issued in CWP No. 11849 of 2016 vide judgment dated 9.8.2016.

In view of the submissions made by learned counsel for the petitioners and without commenting anything on the merits of the case, the present petition is disposed of with a direction to respondents No.1 and 2 to consider the claim of the petitioners, as has been made out in legal notice dated 15.04.2016 (Annexure P-14), in view of ratio of judgment as mentioned above and take necessary action in accordance with law within a period of three months from the date of receipt of certified copy of this order.

In case, the petitioners are found entitled for the aforesaid relief, the same be granted to them within a period of two months thereafter and in case, any adverse order is passed, the petitioners are at liberty to avail appropriate remedy.

September 01, 2016
poonam

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes