

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

**C.W.P. No. 19283 of 2016
Date of Decision:- 19.09.2016**

SUSHIL KUMAR & ANR.

....Petitioners

VS.

STATE OF PUNJAB & ORS.

....Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Gurbhajneek Singh Samra, Advocate,
for the petitioners.

DAYA CHAUDHARY, J. (Oral)

The grievance of the petitioners, in the present petition, is that the pay scales have not been granted to them, whereas, the same have been granted to similarly situated employees and even to Junior Assistants in view of decision of this Court in ***CWP No.22422 of 2010*** titled as ***Anil Kumar and others vs State of Punjab and others***, decided on ***16.05.2012*** (Annexure P-3). The said decision has also been upheld by Hon'ble the Apex Court.

Learned counsel for the petitioners submits that the petitioners have moved a joint representation dated 17.04.2016 (Annexure P-5) but the same has not been decided so far. Learned counsel also submits that the petitioners would be satisfied, in case, the directions are issued to the respondents to consider their representation (Annexure P-5) in view of ***Anil Kumar's*** case (supra) within some stipulated period.

Keeping in view the limited prayer of the petitioners and

without commenting anything on the merits of the case, the present petition is disposed of with a direction to the respondents to consider the case of the petitioners in view of *Anil Kumar's* case (supra) and also by considering the facts that similarly situated employees have been granted the benefit in view of said judgment. The necessary exercise be done within a period of two months from the date of receipt of certified copy of this order.

In case, the petitioners are found to be entitled for the relief claimed in the representation (Annexure P-5) in view of *Anil Kumar's* case (supra), the same be granted to them within a period of two months thereafter.

The petition is disposed of accordingly.

September 19, 2016
poonam

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes