

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

**CWP No.9150 of 2015
Decided on :29.01.2016**

Inderjit Singh and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

(2)

CWP No.10596 of 2015

Bhupinder Kaur and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

CWP No.10641 of 2015

Jagjivan Singh and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

(4)

CWP No.11132 of 2015

Arvinder Singh and another

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

(5)

CWP No.11184 of 2015

Gobinder Kaur and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

(6)

CWP No.11190 of 2015

Gursharan Kaur and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

(7)

CWP No.11529 of 2015

Harchand Singh and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

(8)

CWP No.11610 of 2015

Manjit Singh and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

(9) CWP No.12800 of 2015
Kaur Singh and others
... Petitioners

Versus

Punjab Mandi Board and another
... Respondents

(10) CWP No.12811 of 2015
Kulwant Singh and others
... Petitioners

Versus

Punjab Mandi Board and another
... Respondents

(11) CWP No.14934 of 2015
Sukhpreet Pal Singh and others
... Petitioners

Versus

Punjab Mandi Board and another
... Respondents

(12) CWP No.15291 of 2015
Kirpal Singh and others
... Petitioners

Versus

Punjab Mandi Board and another
... Respondents

CWP Nos. 9150, 10596, 10641, 11132, 11184, 11190, 11529, 11610, 12800, 12811, 14934, 15291, 17762 of 2015 and 54 of 2016.

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(13)

CWP No.17762 of 2015

Krishan Kumar and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

(14)

CWP No.54 of 2016

Harmesh Kaur and others

... Petitioners

Versus

Punjab Mandi Board and another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. D.S. Rawat, Advocate
for the petitioner (s).

Mr. S.S. Rangi, Advocate
for the respondents.

G.S. Sandhawalia , J. (Oral)

The present judgment shall dispose of 14 writ petitions
i.e. **CWP Nos. 9150, 10596, 10641, 11132, 11184, 11190, 11529,
11610, 12800, 12811, 14934, 15291, 17762 of 2015 and 54 of 2016.**

The facts are being taken from **CWP No.9150 of 2015.**

The petitioners seek the benefit of the stepping up of the pay to the Senior General Category Employees at par with their Junior Scheduled Caste Category Employees and the quashing of the order dated 13.03.2015 (Annexure P-2).

The relief claimed is on the basis of the law laid down by this Court in **CWP No.5956 of 2008 titled as 'Charan Dass Vs. State of Haryana and another'** decided on 18.11.2008 (Annexure P-4) and **CWP No.18307 of 2011 titled as 'Gurmeet Singh and another Vs. Punjab School Education Board and others'** decided on 06.12.2012 (Annexure P-5).

Counsel has submitted that in view of the abovesaid judgments, the employees are entitled for stepping up of the pay at par with their Junior Scheduled Caste Category Employees from the date they were promoted and caught up with the reserved category employees on the promotional post.

It is not disputed that the petitioners were promoted as Senior Assistant in the year 2012 and their pay was refixed at par with the junior reserved category employees by order dated 08.03.2015 (Annexure P-1). However, by the subsequent order dated 13.03.2015 (Annexure P-2), it was clarified that the pay of the Senior General Category Employees is being stepped up at par with their Junior Reserved Category Employees, respectively but no arrears of pay of the earlier period will be paid. Thereafter, vide impugned order fixing of the pay at par has been stayed "at present"

and this has been specifically mentioned in the order.

The defence of the respondent-board is that approval of the Government is to be taken and office order was not approved by the Punjab Government and case was further sent to the Government for further advice which is yet to be received from the Government. As and when advice is received the Board will act promptly and follow the Government instructions as per rules.

Thus, keeping in view, the stand of the respondent-board, this Court is of the opinion that the Board should take a time-bound decision on the issue within a period of 2 months from the receipt of the copy of this order by following up the issue with the Government. The promotions were given in the year 2012 and a period of more than 3 years has expired and, therefore, the respondent-board should take the decision at the earliest.

The judgments which have been referred to above be also taken into consideration, in case any adverse order is to be passed.

In case the claim of the petitioners is accepted, the necessary financial benefits be paid to them within a period of 2 months, thereafter.

With the abovesaid observations, the present writ petitions are disposed of.

JANUARY 29, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE