

IN THE HIGH COURT OF PUNJAB & HARYANA ATCHANDIGARH

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Date of decision : May 18, 2016

1. Civil Writ Petition No. 9805 of 2016

Amarjit Singh Nariyaal & Ors.

... Petitioners

versus

State of Punjab & Ors.

... Respondents

2. Civil Writ Petition No. 9806 of 2016

Satinder Kaur & Ors.

... Petitioners

versus

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. S.K.Rattan, Advocate, for the petitioners.

RAJIV NARAIN RAINA, J (Oral)

Notice of motion.

On the asking of Court, Mr. Harkesh Manuja, Addl. A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State and waives of the service. Copies of paper-books have been supplied in the Court, itself.

This order will dispose of above mentioned two petitions and the facts are taken from C.W.P No. 9805 of 2016.

Learned counsel for the petitioners has relied upon judgment passed in C.W.P No.18644 of 2015, titled as Gurmit Singh & Ors. Vs. State of Punjab & Ors., and three connected writ petitions, decided on 11.03.2016, the order of which has been placed on record as Annexure P-10.

There can be no doubt that the matter is squarely covered by the decision on the issue of change of option for the purposes of pay fixation. Earlier, the petitioners had exercised the first option from 01.01.2006, which later was found to be working to their disadvantage. They claim that they shown to be permitted to exercise option again w.e.f 01.11.2006 as their second option. The change is necessitated because of loss of pay and reduction of salary on account of re-fixation of pay in the lower scale although they were entitled to the higher pay-scale, if change was permitted their grievance would be reduced.

Accordingly, the writ petitions are allowed in terms of the aforesaid orders. However, the benefits arising out of the change of option will be notional, bringing their pay in the proper pay-scale. The petitioners shall be paid salary as per re-fixed pay counted from the date of filing of this petition.

May 18, 2016
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(RAJIV NARAIN RAINA)
JUDGE