

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

CWP No. 17069 of 2017
Date of decision: 02.08.2017

Changu Ram and others

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Namit Kumar, Advocate, for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The petitioners seek directions for revision of the wages in view of the orders passed in ***CWP No. 1133 of 2010, Ram Harsh and others vs. State of Haryana and others***, decided on 19.05.2011 (Annexure P-1) and CWP No. ***12745 of 2015, Rakesh Kumar and others vs. State of Haryana and others***, decided on 29.01.2016 (Annexure P-8).

It is the grouse of the petitioners that they are working on the posts of Sweeper/Water Carrier/Cook/Dhobi/Mali with the Haryana Police and are posted in District Panchkula. They are being treated as contingent part time employees and are working for 10 to 12 hours in a day but are being paid their wages at D.C. rates for only four hours. The dates of engagement have also been mentioned in para no. 2 to show that some of them are working since 1998 onwards till 2015. A justice demand notice dated 20.12.2016 (Annexure P-14) was served upon respondent nos. 2 and 3 raising grievances and claiming the revision of wages. It is the case of the petitioners that respondent no. 3 has further forwarded it to respondent no. 2 on 14.02.2017 (Annexure P-15) and the matter is still pending consideration.

Reference is also made to directions issued in *CWP No. 19431 of 2016, Rinku and others vs. State of Haryana and others* dated 19.09.2016 (Annexure P-16) whereby, in similar circumstances, direction was issued to consider the case of the petitioners as per the above stated judgments. It is submitted that in view of the said directions, Superintendent of Police, Ambala, vide order dated 29.11.2016 (Annexure P-17) allowed the claim of similarly situated employees and granted them minimum wages.

Counsel further submits that he would be satisfied if a direction is issued to the respondents to decide the justice demand notice within a fixed time frame.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice. Copy of the writ petition has been supplied to her.

Without commenting on the merits of the case or the entitlement of the petitioners for the abovesaid relief and keeping in view the fact that the matter is still pending consideration, the present writ petition is disposed of with direction that respondent no. 3 shall follow up the case with respondent no. 2 and the said respondents shall take a decision on the said demand notice dated 20.12.2016 (Annexure P-14) within a period of 4 months from the date of receipt of certified copy of the order. Needless to say if the benefit is to be declined, a reasoned order be passed and the same be conveyed to the petitioners.

02.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No

