

*CWP No.7086 of 2015 &
other connected cases*

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1.)

CWP No.7086 of 2015
Date of Decision:-13.01.2017.

Kuldeep Singh and others

.....Petitioners

Versus

Dakshin Haryana Bijli Vitran Nigam and others

.....Respondents

(2.)

CWP No.6903 of 2015
Date of Decision:-12.01.2017.

Sunil Kumar and others

.....Petitioners

Versus

Dakshin Haryana Bijli Vitran Nigam and others

.....Respondents

(3.)

CWP No.6953 of 2015
Date of Decision:-12.01.2017.

Sandeep Kumar and others

.....Petitioners

Versus

Dakshin Haryana Bijli Vitran Nigam and others

.....Respondents

(4.)

CWP No.7087 of 2015
Date of Decision:-12.01.2017.

Naveen Kumar and others

.....Petitioners

Versus

Dakshin Haryana Bijli Vitran Nigam and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Ram Niwas Sharma, Advocate for the petitioners.

Mr. Pawan Kumar Longia, Advocate for
the respondents in CWP No.7087 of 2015.

Mr. R.D. Bawa, Advocate for the respondents in
CWP No.6953 and 6903 of 2015.

Mr. Harish Rathee, Sr. DAG, Haryana.

P.B. BAJANTHRI, J. (Oral)

1.) By this order, CWP Nos.7086, 6903, 6953 and 7087 of 2015 shall be disposed of as the point in issue is similar. For brevity, facts are being extracted from CWP No.7086 of 2015.

2.) In the instant writ petition, the petitioners have sought for a direction to consider their names for regularization with reference to the policy dated 18.6.2014 and 28.7.2014 and further sought for quashing Annexures P-11 dated 4.9.2014 which their pay has been reduced from ₹ 13,660/- to ₹ 9,840/-.

Learned counsel for the petitioners fairly submitted that insofar as seeking regularization is concerned, the matter is pending consideration before this Court in some writ petition wherein the policy relating to regularization dated 18.6.2014 has been stayed, therefore, he be permitted to approach this Court as and when cause of action accrues. Insofar as reducing the wages of the petitioners is concerned, it was submitted that reducing the pay from ₹ 13,660/- to ₹ 9,840/- is highly arbitrary. The matter is covered by decision of this Court in CWP No.22428 of 2014 (Rajesh

Kumar and others Vs. State of Haryana and others) dated 13.5.2016. He further relies on decision of the Supreme Court passed in Civil Appeal No.213 of 2013 **(State of Punjab and others Vs. Jagjit Singh and others)** dated 26.10.2016.

3.) On the other hand, learned counsel for the respondents fairly submitted that the petitioners are entitled to wages @ ₹13,660/- having regard to the decision of this Court and Supreme Court. Having regard to the above facts and circumstances, Annexure P-11 is set aside. The respondents are directed to pay the wages to the petitioners @ ₹ 13,660/- from the date the same has been reduced to ₹ 9,840/-. The difference of pay shall be released to the petitioners within a period of four months from today. The respondents are also directed to extend the benefit of minimum pay scale attached to the post of Assistant Lineman to the petitioners having regard to the decision of the Apex Court cited supra. Such exercise shall be taken by the respondents within a period of four months from today.

4.) Petitions stands disposed of.

(P.B. BAJANTHRI)
JUDGE

January 13, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.