

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

CWP-13164-2012 (O&M)

Date of decision: 23.3.2018

Dr.Uttamjit Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.Gurminder Singh, Sr. Advocate with
Mr.JS Gill, Advocate for the petitioners

Ms.Sudeepti Sharma, Addl.AG, Punjab

JITENDRA CHAUHAN, J.

The present writ petition under Articles 226/227 of the Constitution of India for quashing the Notification dated 13.9.2001 (Annexure P-8), order dated 5.2.2004 (Annexure P-9), and Notification dated 21.12.2011 (Annexure P-14) and also directing the respondents to grant pay scale to the petitioners @ Rs.7880-13500 at the initial stage, Rs.10025-15100 after 4 years of service, Rs.12000-16350 after 9 years of service and Rs.14300-18150 after 14 years of service w.e.f. 1.1.1996 alongwith all consequential benefits with 12% interest.

Learned Senior Counsel for the petitioners states that in terms of judgment dated 5.1.2012 (Annexure P-15) passed in CWP-23138 of 2010 (O&M), titled as “Dr.Naresh Kumar Kataria and others vs. State of Punjab and others”, the petitioners had also been given the notional fixation of pay

from the due date. However, the amount towards arrears has not been paid so far. As the substantial relief has been allowed to the petitioner, the present petition has been rendered infructuous. Ordered accordingly.

However, considering the fact that the amount of arrears has not been paid, it is ordered that in case, the petitioners move an representation for grant of arrears, the same be considered and decided in the light of judgment passed in **Sucha Singh and others vs. State of Punjab and others 2012(2) S.C.T. 229** within six weeks from the date of receipt of the representation and on consideration, if the claim is found to be made out, the consequential relief be passed on to the petitioners within six weeks thereafter.

23.3.2018
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No