

(1) CWP No. 1839 of 2013 (O&M)
Date of Decision: 01.06.2018.

Avtar Singh ... Petitioner

Versus

The Chief Secretary, Govt. of Punjab and others ... Respondents

(2) **CWP No. 10666 of 2013 (O&M)**

Raja Ashok Sachdev ... Petitioner

Versus

State of Punjab and another ...Respondents

(3) CWP No. 12123 of 2013 (O&M)

Dharam Singh ... Petitioner

Versus

State of Punjab and another ... Respondents

(4) **CWP No. 2295 of 2013 (O&M)**

Ajmer Singh ... Petitioner

Versus

Chief Secretary, Govt. of Punjab and others ... Respondents

(5) **CWP No. 2421 of 2013 (O&M)**

Piara Singh ... Petitioner

Versus

Principal Secretary to Govt. to Punjab and another ... Respondents

(6) CWP No. 7513 of 2013 (O&M)

Balwinder Singh ... Petitioner

Versus

Principal Secretary to Govt. of Punjab and another ... Respondents

(7) CWP No. 9390 of 2013 (O&M)

Gurdial Singh ... Petitioner

Versus

The Principal Secretary to Govt. of Punjab and others ... Respondents

(8) CWP No. 15163 of 2013 (O&M)

Mohinder Ram ... Petitioner

Versus

State of Punjab and another ... Respondents

(9) CWP No. 18253 of 2013 (O&M)

Harish Chander ... Petitioner

Versus

State of Punjab and another ... Respondents

(10) CWP No. 18452 of 2013 (O&M)

Guman Singh ... Petitioner

Versus

State of Punjab and another ... Respondents

(11) CWP No. 20783 of 2013 (O&M)

Bir Singh ... Petitioner

Versus

State of Punjab and another ... Respondents

(12) CWP No. 23985 of 2013 (O&M)

Jagan Nath ... Petitioner

Versus

State of Punjab and another ... Respondents

(13)

CWP No. 20150 of 2013 (O&M)

Pritam Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

(14)

CWP No. 13789 of 2013 (O&M)

Sukhdev Ram

... Petitioner

Versus

State of Punjab and others

... Respondents

(15)

CWP No. 8780 of 2015 (O&M)

Mangal Dass

... Petitioner

Versus

State of Punjab and another

... Respondents

(16)

CWP No. 9592 of 2015 (O&M)

Tarsem Lal

... Petitioner

Versus

State of Punjab and another

... Respondents

(17)

CWP No. 8969 of 2015 (O&M)

Kulwinder Kaur

... Petitioner

Versus

State of Punjab and another

... Respondents

(18)

CWP No. 639 of 2011 (O&M)

Ranjit Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

(19)

CWP No. 12995 of 2015 (O&M)

Jaswant Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

(20)

CWP No. 1870 of 2013 (O&M)

Malkiat Singh

... Petitioner

Versus

Chief Secretary Govt. of Punjab and others

... Respondents

(21)

CWP No. 4716 of 2017 (O&M)

Nachhatar Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Shashi Bhushan Nagpal, Advocate,
for the petitioner(s) in all the petitions.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

JITENDRA CHAUHAN.J.

This judgment shall dispose of afore-mentioned twenty one writ petitions as common questions of law and facts are involved therein.

The facts are being taken from CWP No. 1839 of 2013.

The claim of the petitioners in the present batch of writ petitions is to grant them actual consequential service benefits and arrears of pay from 26.11.1985, the date the juniors to the petitioners were promoted.

It is contended that the petitioners joined Class-IV posts on regular basis. Due to inaction of the respondents, the petitioners could not be

promoted on time. However, the fault was rectified by the respondents and the petitioners were promoted to the post of Senior Lab Attendant on 20.08.2009 with retrospective effect from 26.11.1985, the date on which some juniors to the petitioners had been promoted. However, in the promotion orders, it had been stipulated that the petitioners shall be entitled to the benefit of pay fixation notionally from the date, they had been deemed to be promoted. It is the latter part of the direction which is impugned herein.

In pursuance to the order dated 31.05.2018, the State has filed affidavit dated 01.06.2018 of Director Administration, Office of the Director of Public Instructions (Secondary Education) Punjab, SAS Nagar in the Court which is taken on record as Mark-A. Paragraph No.3 of the affidavit reads as under:-

“That it is further respectfully submitted that it is a matter of fact that some similarly situated persons were given arrears of pay from the date they were promoted notionally on the basis of specific directions of this Hon’ble Court. A reference of CWP No. 13211 of 2007 titled as Ram Dass and others vs. State of Punjab and others, decided on 19.03.2009, can be made, where the petitioners of the said writ petition, who are similarly situated to the present petitioners, were given the arrears of pay as a result of their ante-dated promotion as per specific directions of this Hon’ble Court. The present matter has been re-considered and on reconsideration of the matter, it has been found that the facts of the present case are identical to those of CWP No.13211 of 2007 titled as Ram Dass and others vs. State of Punjab and others,

decided on 19.03.2009 and CWP No. 7604 of 2012 titled as Ram Dhari Ram vs. State of Punjab and others, decided on 26.04.2012, which was decided by this Hon'ble Court in terms of order dated 10.08.2011, Gurdip Singh vs. State of Punjab and another. Therefore, being a similar matter, the present matter is liable to be disposed of in terms of the above said decision of this Hon'ble Court.

In view of the admissions made by the State, the present petitions are disposed of in terms of Ram Dass, Ram, Dhari Ram and Gurdip Singh's cases (supra). The respondents are directed to do the needful within a period of three months from the date of receipt of certified copy of the judgment.

A photocopy of this order be placed in the file of other connected case(s).

01.06.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No