

CWP No. 13068 of 2017

DECIDED ON: JANUARY 24, 2018

GURCHARAN SINGH & ORS.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Rangpuri, Advocate
for the petitioners.

Mr. TPS Chawla, DAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioners have sought a writ in the nature of mandamus directing the respondents to re-fix their pay in the pay scale of 3120-6200 as on January 01, 1996 by extending the benefit of judgment dated April 03, 2014 passed in CWP No. 7005 of 2001 (P-2) titled as **Joga Singh & others vs. State of Punjab;** passed by this Court, which has attained finality upto the Hon'ble Apex Court and grant pay parity to them in the same manner as given to the petitioners in Joga Singh's case supra, along-with all consequential benefits, such as re-fixation of pension, revised retiral benefits, arrears etc.

2. Concededly, petitioners are entitled to the benefit of judgment dated April 03, 2014 passed by this Court in CWP No. 7005 of 2001 (P-2) titled as **Joga Singh & others vs. State of Punjab;** which otherwise has attained finality

upto the Hon'ble Apex Court.

3. A glance at the reply dated January 10, 2018 transpires that out of 25 petitioners/officials, the pay petitioner Nos. 1, 6, 7 and 16 has already been re-fixed w.e.f. January 01, 1996 in the pay scale 3120-6200 in the running scale whereas, the other 19 petitioners/officials though have been found to be entitled to the afore-said benefit but their case for the grant of afore-said benefit already extended to the other employees in view of *Joga Singh's case supra*, is under active consideration of the Government. One thing is evident that they are also entitled to the same benefit, which has already been accorded/granted to the petitioners No.1, 6, 7 and 16.

4. At this juncture, learned counsel for the petitioners suggests that the instant petition be disposed of by giving direction to respondents to take up the case of remaining petitioners and to disburse the arrears etc. accrued to them on account of their re-fixation of pay within some stipulated period.

5. Accordingly, instant petition is disposed of with a direction to respondents to complete the procedure and other formalities and grant the necessary benefit to the remaining petitioners/officials within a period of four months from the date of receipt of certified copy of this order. In case of non-compliance of afore-said order/direction, petitioners shall be entitled to interest @ 9% per annum on the delayed payment(s) from the date of filing of instant petition till its actual payment. Petitioners are also at liberty to approach this Court for getting the order implemented.

JANUARY 24, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*