

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

**CWP No.26386 of 2018
Date of decision: 12.10.2018**

Jyoti Sharma and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sajjan Singh, Advocate,
for the petitioners.

Ritu Bahri, J.

Petitioners are seeking direction to the respondents to grant basic minimum pay scale off the posts held by the petitioners on the principle of 'equal pay for equal work'.

Learned counsel for the petitioners has referred to the general instructions dated 03.11.2017 (Annexure P-6) issued by the State of Haryana, whereby as per judgment passed by Hon'ble the Supreme Court in **State of Punjab vs. Jagjit Singh**, Civil Appeal No.213 of 2013, directions have been given that regular or temporary employee, if he is eligible for appointment, should be granted 'equal pay for equal work.' The policy will also be applicable to the employees engaged under the outsourcing policy w.e.f. 01.11.2017.

In the present case, petitioner No.1 was engaged as Clerk on contract basis in the respondent-college on 15.02.2012 and after break in service, she continued till 29.01.2016. Petitioner Nos.2 and 3 are working

in respondent-college as Lab Attendant on contract basis. Thereafter, petitioners filed CWP No.2427-2016 before this Court, which was disposed of vide order dated 30.05.2016 (Annexure P-5) by giving direction to the respondents not to replace them by another set of contractual employees as per judgment passed by this Court in **Anurag Chahal and others vs. State of Haryana and another**, CWP No.16954 of 2015 (decided on 05.05.2016) along with payment during the summer vacation break.

Now, the petitioners are seeking direction to the respondents that they should be paid 'equal pay for equal work' as per instructions dated 03.11.2017 (Annexure P-6).

Notice of motion.

On the asking of the Court, Mr. Ravi Partap, AAG, Haryana, accepts notice on behalf of respondent-State.

After hearing learned counsel for the parties, this petition is disposed of by giving direction to the respondents, especially respondent No.1, to treat this petition as a representation and pass appropriate order(s) as per instructions dated 03.11.2017 (Annexure P-6), in accordance with law. In case the petitioners are found entitled to get the aforesaid benefit as per instructions dated 03.11.2017 (Annexure P-6), the consequential benefits be also granted to them.

12.10.2018
ajp

(RITU BAHRI)
JUDGE

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