

IN THE HIGH COURT OF PUNJAB ANDHARYANAAT
CHANDIGARH

CWP No. 30158-2018

Date of decision:-17.12.2018

HAMIT KUMAR

.....Petitioner

vs.

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Shekher Verma, Advocate
for the petitioner.

RITU BAHRI, J.(Oral)

The petitioner is seeking benefit of minimum regular pay scale as per the notification dated 03.11.2017 (Annexure P-7).

As per the notification dated 03.11.2017 (Annexure P-7) following the judgment of the Supreme Court in Civil Appeal No. 213 of 2013 titled ***State of Punjab V/s. Jagjit Singh*** decided on 26.10.2016, the State Government has taken a conscious decision to make payment to temporary employees on principle of 'equal pay for equal work'. The essential condition is that the workman qualifies for the temporary post and this benefit has been extended even to workers who have been employed through outsourcing policy. The outsourcing policy dated 06.04.2015 (Annexure P-10) has been placed on record. In the writ petition, he has also placed on record order dated 28.04.2018 (Annexure P-11) whereby similar benefit has been extended to one Restorer and one Mali and he has also referred to further instructions issued by Government of Haryana dated 20.04.2018 (Anneuxre P-12) to effectively implement the notification dated 03.11.2017 (Annexure P-7).

Keeping in view that the claim of the petitioner is squarely covered in his favour by the aforesaid judgment of Supreme Court (Annexure P-6) and instructions dated 20.04.2018 (Annexure P-12), this

petition is being disposed of by giving direction to the respondents to treat this petition as representation and pass appropriate order by granting the minimum regular pay scale to the petitioner at par with the employees who have been given this benefit as per order dated 28.04.2018 (Annexure P-11) within a period of four weeks from the date of receipt of certified copy of this order.

17.12.2018
G Arora

(RITU BAHRI)
JUDGE