

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.2732 of 2019
Date of decision : 31.01.2019

Har Kishan and others

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.K. Malik, Advocate,
for the petitioners.

Ritu Bahri, J. (oral)

Petitioners, who are working as Heavy Vehicle Drivers on sanctioned posts since 2007, are seeking direction to the respondents to pay them minimum of the pay scale of the drivers keeping in view the judgment passed by Hon'ble the Supreme Court in **State of Punjab and others vs. Jagjit Singh and others**, 2016 (4) SCT 641 (Annexure P-8).

Learned counsel for the petitioners states that the petitioners were appointed as per Outsourcing Policy, Part-II. They have been working on sanctioned post through service provider agency i.e. M/s Imperial Electrical and Allied Services-respondent No.4. Learned counsel further states that similar benefit has been granted to the employees working in the Education Department vide order dated 28.04.2018 (Annexure P-6). With regard to their grievance, petitioners have served a legal notice dated 16.11.2018 (Annexure P-7) upon the respondents, but no action has been taken thereon till date.

At this stage, present petition is disposed of by giving direction

to the respondents to consider the case of the petitioners keeping in view the

judgment passed by Hon'ble the Supreme Court in **Jagjit Singh's** case (supra) (Annexure P-8) and pass appropriate order in accordance with law within a period of four months from the date of receipt of certified copy of this order. Meanwhile, respondents will not replace the petitioners by another set of contractual employees, unless their work and conduct is found to be unsatisfactory or regularly selected candidates have joined.

31.01.2019
ajp

(RITU BAHRI)
JUDGE

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