

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

CWP-7438-2019

Date of decision: - 18.03.2019

Kamikar Singh and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Armaan Gugneja, Advocate
for Mr. Munish Gupta, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the prayer of the petitioners is that they are entitled for the revised pay-scale w.e.f. 01.01.1986 instead of 1991 in terms of the order passed by this Court in CWP No.9175 of 2000, decided on 26.05.2017, wherein, the same grievance was raised by the similarly situated persons, which prayer, has already been accepted by this Court and a direction has already been given to the respondents to grant the pay-scale w.e.f. 01.01.1986 instead of from the year 1991.

Counsel for the petitioners states that LPA No.659 of 2018 filed against the said order passed by the Learned Single Judge has already been dismissed on 27.02.2019 and therefore, as of now, there is no impediment in the release of the benefits to the employees, who are covered by the judgment passed by this Court in CWP No.9175 of 2000, decided on 26.05.2017.

Counsel for the petitioners further states that for the relief which has been sought in the present writ petition, the petitioners have served the respondents with a legal notice on 22.04.2018 (Annexure P-5), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

Counsel for the petitioners further states that in reply to the said legal notice, the respondents themselves have mentioned in their letter dated 16.05.2018 that the appropriate decision for the grant of benefits will be taken by the Government after the decision of LPA No.659 of 2018.

Notice of motion.

On the asking of the Court, Ms. Deepali Puri Sandhu, Additional Advocate General, Punjab, accepts notice on behalf of the respondents-State.

Counsel for the respondents very fairly states that as the LPA No.659 of 2018 has already been decided, the appropriate decision will be taken in respect of the plea of the petitioners for the grant of benefits in terms of the order passed by this Court in CWP No.9175 of 2000, decided on 26.05.2017, in a time bound manner.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the legal notice, the respondents are directed to decide the legal notice dated 22.04.2018 (Annexure P-5) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

In case after the decision, it is found that the petitioners are entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

March 18, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No