

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

CWP No. 8563 of 2019

Date of Decision: 29.03.2019

Manjit Singh and others

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Munish Bhardwaj, Advocate
for the petitioners.

Ms. Jasleen Sidhu, AAG Punjab.

RAJIV NARAIN RAINA, J. (Oral)

1. A large number of Stenographers and Judgment Writers serving on the establishment of the Sessions Divison Jalandhar have approached this Court for quashing their pay slips/pay fixation orders (Annex. P-6) vide which their salary has been fixed in the proper pay scale but in the lower Grade Pay of Rs. 3,800/- whereas it should be Rs. 4,400/- as per the Punjab Government Notification dated 15.12.2011 duly adopted by High Court vide letter dated 19.03.2012.

2. Learned counsel for the petitioners submits that counterparts on corresponding posts working in the offices of State Government and its departments are already receiving monetary relief as claimed by the petitioners. Not only that, relief also stands granted to similarly placed employees working in the offices of the Sessions Divisions at Amritsar, SAS Nagar, Fatehgarh Sahib and Rupnagar.

3. Even in the Sessions Division Mohali, a Committee has been constituted by the learned District & Sessions Judge, Mohali to examine the grievances of the employees for grant of benefit of the Notification dated 15.12.2011 read with the High Court order/letter dated 19.03.2012.

4. A similar petition had come before this Court in CM No. 2508 of 2019 in CWP No. 15589 of 2013, case titled Gulshan Kumar & Ors Vs. State of Punjab & Ors and connected cases pending adjudication for remaining three petitioners therein in which the following interim order was passed on 07.03.2019:

“Issue notice of the application.

Mr. Sandeep Vermani, Addl. AG Punjab accepts notice.

Learned counsel for the applicants/petitioners states that recently Committee has been constituted by the District and Sessions Judge, Mohali to examine the representations of the employees towards grant of benefit of instructions dated 15.12.2011.

Learned counsel for the applicants/petitioners prays that instead of keeping this matter pending, the same may be disposed of with a direction that the cases of the applicants be also considered by the Committee. In this behalf, the applicants/petitioners may make a comprehensive representation for consideration of the Committee. After the representation has been filed, the Committee would consider the request therein and take a

decision within two months in accordance with law.

The petition is disposed of qua the applicants/petitioners with the above directions.

For the remaining 03 petitioners, the matter is adjourned to 12.04.2019.”

5. To conclude this case without expressing opinion on the merits, I would issue similar directions as in the aforesaid case for some of the petitioners therein, with the addition that in case this issue has arisen in other Sessions Divisions of Punjab, which it must have, but where Committees have not been constituted, then such Committees would be constituted by the learned District & Sessions Judge of the respective Sessions Division to resolve the issue regarding Grade Pay in accordance with law.

6. The petitioners plead they have made a collective representation, with copy placed at Annex. P-12 seeking therein remedial measures. If that is so, I have no doubt it shall be considered and decided by a Committee to be constituted by the learned District and Sessions Judge, Jalandhar (as in the case of Mohali) for it to take a final decision in accordance with law within two months from the date of supply of certified copy of the order.

7. To avoid any conflict of administrative decisions in the respective Sessions Divisions, the learned District & Sessions Judges are requested to confer with each other for a uniform decision.

8. If any monetary benefits fall due to the petitioners as a result of the pay re-fixation exercise, those amounts be determined and disbursed to the petitioners and other similarly situated claimants across Punjab within the next two months from the date of conveying the final decision on merits, in case the claim is found genuine and existing as a matter of right, having regard to the Notification dated 15.12.2011 as adopted by the High Court. Any such moneys due shall be the financial burden of the State Government to discharge within the time frame fixed in this order.

9. Copy of this order be sent by the office to the respective learned District and Sessions Judges, Punjab for compliance.

10. Office of the learned Advocate General, Punjab to send this order to the quarters concerned in the State Government.

11. With the above directions, the petition is disposed of.

(RAJIV NARAIN RAINA)
JUDGE

29.03.2019

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