

Sr. No.119

**RA-CW-140 of 2019 in
CWP No.19410 of 2003**

Krishan Lal

Vs.

Punjab State Agriculture Marketing Board and another

Present: Mr. Parambir Singh, Advocate,
for the applicant/respondent No.1.

Mr. Puneet Jindal, Senior Advocate with
Ms. Neha Anand Mahajan, Advocate,
for the non-applicant/petitioner.

I find no grounds to interfere in my order dated 05.03.2019 passed in CWP No.19410 of 2003 except to the extent that the consent of the learned counsel for the respondents, which, as contended in this application seems to have been wrongly recorded. While maintaining the order, it is made clear that the same be not read on the concession given by learned counsel for the petitioner.

Learned Senior counsel appearing for non-applicant rightly points out that only difference in the judgment rendered in CWP No.3483 of 1994 and the present case is that the petitioner herein is working as 'Waterman' whereas, the petitioner in CWP No.3483 of 1994 wherein, judgment dated 10.02.2012 was rendered was a 'Sweeper'.

Learned Senior counsel has drawn my attention to paras 3 and 5 to 10 on merits of the written statement, where a conceded factual stand has been taken that the petitioner

has been working as 'Waterman' on daily wages in Marketing Committee, Ludhiana since 01.04.1988. It has been further stated therein that the petitioner since the time of his initial appointment was paid wages at DC rates. Thereafter, from 1995 till July 2003, he was given minimum of the regular pay scale. Later, when the Instructions dated 30.07.2003 (Annexure P-2) were issued by the Government and the petitioner was paid his wages/salary, in accordance thereof.

That being the factual position, I am of opinion that the case of the petitioner is squarely covered by the judgment dated 10.02.2012 rendered by this Court in ***CWP No.3483 of 1994 titled as Brij Lal and others Vs. Punjab State Agricultural Marketing Board (Punjab Mandi Board) and another.***

With these observations, present application is disposed of.

02.05.2019
vandana

(ARUN MONGA)
JUDGE