

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

(107)

CWP-12548-2019 (O&M)

Date of Decision: November 07, 2019

Surinder Kumar and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Chatrath, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

CM-16578-CWP-2019

Present application has been filed to place on record the notification dated 04.07.2019 as Annexure P-9.

Keeping in view the averments made in the application, the same is allowed and Annexure P-9 is permitted to be taken on record.

CWP-12548-2019

Learned counsel for the petitioners contends that this Court while deciding **CWP No.7920 of 2013 titled as Manmohan Singh and others Vs. State of Punjab and others on 01.02.2018**, has allowed the claim of the petitioners, who were working as drivers for the grant of the pay scale of Patwaris (10300-34800+3200 G.P) w.e.f. 01.12.2011. Learned counsel for the petitioners argues that keeping in view the law laid down by this Court in **CWP No.2866 of 2014 titled as Karanvir Singh and others Vs. State of Punjab and others, decided on 30.09.2016**, the benefit of the revised pay scale is admissible now w.e.f. 01.01.2006 even to the Patwaris and therefore, the pay scale of Rs.10300-34800+3200 G.P should also be extended to the petitioners w.e.f. 01.01.2006 and their pension should be

fixed accordingly keeping in view the notifications dated 02.08.2017 (Annexure P-6), dated 18.09.2017 (Annexure P-7) and dated 04.07.2019 (Annexure P-9) respectively.

The prayer of the petitioners is for issuance of a direction to the respondents to grant the petitioner the same benefit as being granted to the Patwaris after the decision was rendered in CWP No.7920 of 2013, decided on 01.02.2018.

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, the petitioners have served the respondents with a legal notice dated 27.01.2019 (Annexure P-8) 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 by passing an appropriate speaking order in view of the notifications dated 02.08.2017 (Annexure P-6), dated 18.09.2017 (Annexure P-7) and dated 04.07.2019 (Annexure P-9) respectively.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 27.01.2019 (Annexure P-8), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 27.01.2019 (Annexure P-8), within a period of three months from the receipt of certified copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

November 07, 2019
harsha

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