

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

CM-12592-CWP-2018in/and
CWP-14046-2011
Date of decision: 10.1.2019

Avnash Kumar Sethi and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.Kapil Kakkar, Advocate for the petitioners

Ms.Ambika Bedi, AAG, Punjab

JITENDRA CHAUHAN, J.

CM-12592-CWP-2018

The present application is for disposal of the main case in the light of the order dated 20.4.2018 (Annexure A-1), vide which, the similar relief sought by petitioners through this petition, has been allowed to petitioner No.11- Dharam Pal Sethi by the department.

Learned State counsel submits that she has no objection in case the respondents are directed to consider the case of the remaining petitioners in the light of the order dated 20.4.2018 (Annexure A-1).

In view of the above, with the consent of the parties, the main case is taken on today's board.

CWP-14046-2011

The present writ petition under Articles 226/227 of the

Constitution of India has been filed by the petitioners for directing the respondents to change their option for the grant of revised pay scale from 1.1.1986 to the later dates (as per Annexure P-1) alongwith all consequential benefits.

This petition was admitted for hearing vide order dated 25.4.2014 and is on the regular board of this Court at Serial No.1847.

Learned counsel for the petitioners submits that petitioner No.11 Dharam Pal Sethi has been allowed the relief sought in this petition vide order dated 20.4.2018 (Annexure A-1) and the case of the remaining petitioners is at par with that of said Dharam Pal Sethi. Learned counsel for the petitioners further states that at this stage, he would be satisfied, if a direction is issued to respondent No. 2- Director Public Instructions (SE), Punjab, to consider the case of the remaining petitioners in the light of order dated 20.4.2018 (Annexure A-1).

In view of the above and the concession given by learned State counsel, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.2- Director Public Instructions (SE), Punjab, to consider the case of the remaining petitioners in the light of order dated 20.4.2018 (Annexure A-1) within eight weeks from the date of receipt of the certified copy of this judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of eight weeks thereafter. However, in case the competent authority feels that the case of

the remaining petitioners is not at par with the case of petitioner No.11-Dharam Pal Sethi, in that case, a speaking order be passed in the matter. In case the claim sought by the petitioners is declined, they shall have the liberty to either revive the present petition or to file a fresh as per law, if so advised.

10.1.2019
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?	Yes	/	No
Whether reportable?	Yes	/	No