

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-12118-2015 (O&M)
Date of Decision:-28.02.2019.

Jai Chand and others

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Nikhil Anand, Advocate for the petitioners.

Ms. Anita Balyan, Advocate for the respondents-UOI.

ARUN MONGA, J. (Oral)

The present writ petition has been filed, *inter alia*, for issuance of a writ in the nature of *certiorari* to quash the order dated 14.03.2014 (Annexure P-3), whereby, the petitioners have been denied step up/re-fixation of pay at par with their juniors.

2.) Learned counsel for the petitioners contends that the case of the petitioners is squarely covered by a judgment rendered by this Court in CWP-7466-2013 decided on 17.01.2019.

3.) Learned counsel for the respondents vehemently opposes the claim of the petitioners on the ground that having once exercised their option and after fixation of their pay in the revised pay scales, as per their options, the petitioners cannot at this stage turn around and seek benefit of equal pay along with their contemporaneously placed officers. Having

perused the judgment rendered by this Court in CWP-7466-2013, *ibid*, I am of the view that the same very argument was placed in the said case and has been repelled for the reasons stated in the said judgment.

4.) Accordingly, I am inclined to agree with the contention of the learned counsel for the petitioners that petitioners' case is squarely covered by the judgment passed by this Court in CWP-7466-2013. The present writ petition is allowed in the same terms as those stated in the judgment passed in CWP-7466-2013. Let the needful be done within a period of 3 months from the date of receipt of certified copy of this order.

(ARUN MONGA)
JUDGE

February 28, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.