

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

CWP No.19667 of 2015

Date of Decision: 27.05.2019.

Satpal and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE B.S. WALIA

Present :- Mr. Sanjiv Gupta, Advocate for the petitioners.

Mr. Harish Rathee, Sr.DAG, Haryana.

...

B.S. Walia, J (Oral)

1. Prayer in the Writ Petition is for the grant of overtime allowance w.e.f. the date of engagement of the petitioners as conductors in terms of policy dated 23.07.1985 along with interest @ 12% per annum.

2. Learned counsel contends that the petitioners were appointed as Washing Boys in the year 2004 and that a Writ Petition was filed by other similarly situated Washing Boys claiming adjustment as Grade-I drivers and conductors as per rules. However, the writ petition was dismissed. LPA No.431/13 was filed against the dismissal of the writ petition and vide order dated 07.05.2014, the same was allowed. Order dated 25.04.2013, passed by the learned Single Judge was set aside and the appellants therein were ordered to be adjusted as Grade-I drivers and conductors as per rules. The appellants were also held entitled to benefit of continuous service and notional calculation of monetary benefits.

3. Learned counsel for the petitioners contends that pursuant thereto, the petitioners, although were not party to the writ petition and LPA referred to above, were also adjusted as conductors in May/June, 2007 as per Annexure P/3 and that in the circumstances are entitled to the benefit of overtime allowance as per policy dated 23.07.1985 w.e.f. the date of their engagement as conductors.

4. Learned Sr. Deputy Advocate General states that the petitioners are already being paid overtime allowance as per policy dated 23.07.1985 as revised from time to time w.e.f. the date of their adjustment.

5. The same satisfies learned counsel for the petitioners. In view thereof, further orders are not called for. Writ petition disposed of as above.

May 27, 2019

rajesh.k.khurana

(B.S.Walia)
Judge

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No