

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
2017.07.24 11:40
I attest to the accuracy and
integrity of this document

CWP-1445-2018

Date of Decision: July 19, 2019

Ramesh Chand

... Petitioner

vs.

Punjab Engineering College Chandigarh and Ors

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. H.S.Saini, Advocate
for the petitioner.

Mr. Sandeep Joshi, Advocate
for respondents No. 1 to 3.

ARUN MONGA, J.(ORAL)

Prayer in this petition is for quashing of order dated 21.09.2017 (Annexure P-12) passed by the respondents whereby the claim of the petitioner for fixation of pay/stepping up his pay at par with his junior i.e respondent No.4, namely, Jagdish Lal Pathania in the cadre of Clerk, has been rejected without assigning any valid reason.

2. Learned counsel for the petitioner contends that the case of the petitioner is identical to and squarely covered by various judgments rendered by this Court as also by Hon'ble the Supreme Court of India viz. Satya Narain Sharma vs. Uttar Haryana Bijli Vitran Nigam and another, reported as 2015 (4) S.C.T.353, Surinder Pal Sharma vs. State of Punjab, reported as 2017 (3) S.C.T.71, Er. Gurcharan Singh Grewal and another vs. Punjab State Electricity Board and others, reported as 2009 (1) S.C.T.623 and Commissioner and Secretary to Govt. of Haryana and others vs. Ram Sarup Ganda and others, reported as 2007 (2) S.C.T.476.

3. The said submission of learned counsel for the petitioner is not controverted by learned counsel appearing for respondents No. 1 to 3.

4. In view thereof, I am of the *prima facie* opinion that petitioner is entitled to the benefit of ratio rendered in judgment of Hon'ble Apex Court in **Er. Gurcharan Singh Grewal and another vs. Punjab State Electricity Board and others**, *ibid*, as mentioned in ground No.viii of Para 19 of the writ petition.

5. In the premise, the impugned order 21.09.2017 (Annexure P-12) is set aside and the respondents are directed to pass a fresh speaking order keeping in view **Er. Gurcharan Singh judgment**, *supra*.

6. Let needful be done within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled to the benefit, then, the same shall be disbursed to him within a period of two months thereafter alongwith interest @ 6% per annum from the date of his entitlement till the date of disbursement.

7. Disposed of in above terms.

July 19, 2019
smriti

(ARUN MONGA)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No