

**247-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-5413-2016 (O&M)
Date of decision-25.01.2019**

Maghar Singh and others

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Harnek Singh, Advocate
for the petitioners.

Mr. Navdeep Chhabra, D.A.G., Punjab.

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of certiorari/mandamus for quashing the circular dated 21.12.2011 (Annexure P-3) to the extent it has granted the benefit of revised pay scale to the category of the petitioners w.e.f. 01.12.2011 instead of 01.01.2006.

Learned counsel for the petitioner states that at this stage, he would be satisfied, if a direction is issued to respondent No.2- The Director of State Transport, Punjab, Sector-17, Chandigarh to consider and decide their case in the light of judgment titled as '*State of Punjab and others Vs A.P.Sharma and others*' 2017(1) S.C.T. 322, and another judgment passed by this Court decided on 30.09.2016 in CWP-2866-2014 titled as 'Karanvir Singh and others Vs. State of Punjab and others' whereas learned State counsel submits that though he is not averse to the suggestion made by

learned counsel for the petitioners, however, the judgment rendered in LPA No.251-2014 titled '*Satbir Singh and others Vs. The State of Punjab and others*' decided on 04.08.2014 also deserves to be considered in the matter by the competent authority.

Heard.

In the circumstances, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2- The Director of State Transport, Punjab, Sector-17, Chandigarh to consider and decide the matter in the light of above judgments within eight weeks from the receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the request made by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the request made by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

25.01.2019

ps-I

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