

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

(110)

CWP-24688-2019

Date of Decision: September 06, 2019

Nafe Singh and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Chatrath, Advocate, and
Ms. Anureet Budwal, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners states that this Court while deciding **CWP No.2650 of 2000 titled as Rajinder Kumar Aggarwal and others Vs. State of Haryana and another**, gave direction to the State vide order dated 24.09.2015 to consider the representation of the petitioners with regard to their claim of the pay scale of Rs.1400-2600 w.e.f. 01.01.1986. State of Haryana considered the matter and passed an order dated 15.03.2019/09.04.2019 (Annexure P-5) granting the said benefit only to the petitioners in the said writ petition.

Learned counsel for the petitioners argues that once the benefit has been extended to a particular category by the respondents themselves after considering all the facts and circumstances, the similarly situated employees cannot be denied the same keeping in view the law laid down by the Division Bench of this Court in **Sathir Singh Vs. State of Haryana and others, 2002 (2) SCT 354** wherein, the Court has held that once a question of law has been settled by the competent Court of law, all the similarly situated employees should be granted the said benefit and they should not be forced to approach this Court.

Learned counsel for the petitioners prays that a direction be issued to the respondents to grant the the petitioners the same benefits as granted to the petitioners in **CWP No.2650 of 2000, titled as Rajinder Kumar Aggarwal and others Vs. State of Haryana and another, decided on 24.09.2015.**

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, the petitioners have served the respondents with a legal notice dated 19.05.2019 (Annexure P-7) and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 19.05.2019 (Annexure P-7), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 19.05.2019 (Annexure P-7), within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioners are entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to them within three months thereafter.

September 06, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No