

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

Date of decision: 26.9.2019

1. LPA No. 1648 of 2019 (O&M)

State of Punjab and others

.. Appellants

vs

Tejbir Singh and others

.. Respondents

2. LPA No. 1649 of 2019 (O&M)

State of Punjab and others

.. Appellants

vs

Jai Chand and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajiv Sharma, Acting Chief Justice
Hon'ble Mr. Justice Harinder Singh Sidhu**

Present Mr. Lavanya Paul, Assistant Advocate General, Punjab.

Rajiv Sharma, Acting Chief Justice

Since common questions of law and facts are involved in both these appeals i.e. LPA Nos. 1648 and 1649 of 2019, therefore, these are taken up together and being disposed of by a common judgment.

These appeals are instituted against the judgment rendered by learned Single Judge in CWP No. 7001 of 2013 Daljeet Singh and others vs State of Punjab and others and analogous matters dated 26.4.2018.

Brief facts necessary for adjudication of the present appeals are that the respondents have filed writ petitions claiming pay-scales as per recommendations of various Pay Commissions with regard to skilled and semi-skilled staff in the service of Punjab Government. The appellant-State had issued a notification dated 4.2.1969 categorizing the technicians into Category I to VI. This notification was not implemented. Few employees of

the Department of Water Supply & Sanitation filed CWP No. 10759 of 1990

– Rajinder Paul Gautam and others vs State of Punjab and others in this Court. It was decided on 30.5.2008. The State of Punjab filed LPA against the judgment dated 30.5.2008 bearing LPA No. 44 of 2009. It was dismissed on 15.2.2010. The State of Punjab filed SLP against the judgment dated 15.2.2010. It was dismissed on 12.7.2010. However, the respondents were left out. They claimed benefit of letter dated 4.2.1969, since the notification has been implemented qua the Department of Local Government and other employees of the State.

The benefit has been denied to the respondent-employees on the ground that they were not party to the earlier writ petition. The Department of Water Supply & Sanitation, Government of Punjab, has implemented the letter dated 4.2.1969 qua category-IV. Once the notification has been issued, it should have been applied in uniformity to all the employees of the State.

Thus, there is no illegality or perversity in the judgment dated 26.4.2018. Accordingly, the appeals are dismissed.

(Rajiv Sharma)
Acting Chief Justice

26.9.2019
vs

(Harinder Singh Sidhu)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No