

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 32570 of 2019
Date of decision : 08.11.2019

Mohinder Paul

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Hardeep Singh, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the benefit of the judgment passed in CWP No. 4685 of 1996, titled as ***Ram Singh and others Vs. The State of Punjab and others***, decided on 06.01.2012, wherein the claim of the similarly situated employees for the grant of pay scale of ₹3000-4500 + 300 as special pay w.e.f. 01.01.1986 has been allowed, is not being granted to the petitioner on the ground that he was not a party to the said writ petition. Learned counsel further argues that once a question of law has been settled, the benefit is to be extended to all the similarly situated employees without forcing everyone to approach this Court to seek the same relief keeping in view the law laid down by the Division Bench of this Court in CWP No. 4382 of 2002 titled as ***Satbir Singh Vs. State of Haryana***. The prayer of the petitioner is for issuance of

a direction to the respondents to grant the petitioner the benefit as extended to the similarly situated employees keeping in view the order passed in ***Ram Singh's case (supra)***.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 27.09.2019 (Annexure P-7), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 27.09.2019 (Annexure P-7) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Writ petition stands disposed of accordingly.

November 08, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*