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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-8194-2020(O&M)
Date of decision : 12.10.2020

Harmesh Lal Sharma (Retd.) and others Petitioners

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.R.K.Arora, Advocate for the petitioners.

Mr.Charanpreet Singh, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

CM-9828-2020

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Prayer in the instant application is for disposal of the main writ petition in terms of order dated 31.07.2020 passed by this Court in CWP No.11025 of 2020 (Annexure A-6) and order dated 07.09.2020 in CWP No.13730 of 2020 (Annexure A-7).

Notice was issued in the application.

Learned State counsel upon instructions from Gurmit Singh, Deputy Director Agriculture, would concede that similar issue stands adjudicated upon in CWP No. 18663 of 2013 decided on 27.11.2017

(Annexure P-26) and on the basis of which subsequent writ petitions have been disposed of vide orders at Annexure A-6 and A-7 by issuing directions to decide the representations preferred by the petitioners therein.

Since a consensus has evolved with regard to disposal of the main writ petition, the date of hearing in the main writ petition is preponed from 10.12.2020 and the same is taken up on board today itself.

Application disposed of.

Main case

Petitioners seek a writ of certiorari for setting aside the orders dated 21.12.2011 (Annexure P-1), 02.07.2012 (Annexure P-2) and 18.07.2012 (Annexure P-3) insofar as they create an anomaly in the pay scales of the Agriculture Development Officers working in the Administrative Wing as opposed to the petitioners herein who were holding equivalent post of Technical Assistants in the Statistical Wing of the Agriculture Department. A writ of mandamus was also sought directing the respondent-State authorities to grant equivalent pay scales to the petitioners same as that of Agriculture Development Officers in the Administrative Wing w.e.f. 01.01.1996 as also the consequential ACP benefit upon completion of 4, 9 and 14 years of service.

Counsel for the petitioners as also learned State counsel are *ad idem* that such issue already stands dealt with and adjudicated upon in CWP No. 18663 of 2013 decided on 27.11.2017 (Annexure P-26). Counsel for the petitioners further informs the Court that similar writ petitions were thereafter dealt with by different Co-ordinate Benches i.e. CWP No. 11025 of 2020 decided on 31.07.2020 and CWP No. 13730 of 2020 decided on 07.09.2020 and both these writ petitions were disposed of with a direction to

the respondent-authorities to consider the representation of the petitioners therein and to take a final decision thereupon within the stipulated time frame.

Counsel for the petitioners submits that similar course of action be followed in the instant petition as well.

Learned State counsel does not oppose the prayer.

In view of the above the instant writ petition is disposed of with a direction to respondent No.1 to examine the representations of the petitioners appended at Annexure P-27 (Colly) and to take a decision thereupon expeditiously and by passing a speaking order and in any case within a period of three months from the date of receipt of a certified copy of this order

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.10.2020
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No