

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-11101-2015 (O&M)
Date of Decision: 10.02.2020

Ram Bhajan & others

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Harpal Singh, Advocate for
Mr. Peeush Gagneja, Advocate for the petitioners.

Mr. T.P.S. Chawla, DAG, Punjab.

Mr. Vinish Singla, Advocate for respondent no.3.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioners are working on different posts under the Municipal Council, Abohar.

A Mandamus has been sought directing the respondents to calculate their emoluments and thereby to grant to them the financial benefit in lieu of having performed duties on Saturdays. Challenge has been raised to the orders dated 5.2.2015 and 5.3.2015 (Annexures P-7 & P-8) whereby the claim of the petitioners afore-noticed has been rejected.

Identical issue already stands examined by a Coordinate Bench of this Court in a bunch of writ petitions decided vide common judgement dated 2.8.2018 passed in ***CWP-7826-2017 (State of Punjab and others Vs. Shudish Kumar @ Sudish Kumar & another)*** and other connected petitions.

The precise issue considered and dealt with by the Coordinate Bench was as to whether the workmen who were working as "Field Staff" are entitled to wages for working on Saturdays. The bunch of 29 writ

petitions were directed against the order dated 1.2.2016 passed by the Industrial Tribunal, Bathinda wherein the claim of wages for working on Saturdays had been allowed. By virtue of judgement dated 2.8.2018 passed in ***Shudish Kumar's*** case (supra) the order of the Industrial Tribunal, Bathinda has been held to be patently illegal and has been set aside. A view has been taken that the 'Field Staff' have no existent right to claim wages for work done on Saturdays as they were on a six day per week schedule with the advantage of additional casual leave and other benefits which is not available to the office staff.

The claim raised in the instant petition stands squarely covered against the petitioners in terms of judgement dated 2.8.2018 passed in ***Shudish Kumar's*** case (supra).

Petition, accordingly, is dismissed in terms of judgement rendered in ***Shudish Kumar's*** case (supra).

(TEJINDER SINGH DHINDSA)
JUDGE

10.02.2020

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