

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

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IN VIRTUAL COURT

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**CWP No. 15987 of 2020
Decided on: 1.10.2020**

Harjeet Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Nitesh Singla, Advocate, for the petitioners

Rajbir Sehrawat, J.(Oral)

This petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents No.1 and 2 to step up the pay of the petitioners at par with respondent No.3/their junior, w.e.f. 10.3.2012, in view of order dated 21.11.2019 (Annexure P-8), passed by the department, in pursuance to the judgment dated 22.8.2019, passed by this Court in **CWP No. 22404 of 2019**, titled as **Rohit Garg and others v. State of Punjab and others**, whereby the similar situated persons have been granted the aforesaid benefit. It is further prayed that the respondent-department be directed to decide the representation/legal notice dated 12.5.2020 (Annexure P-7), sent by the petitioners.

It is submitted by the counsel for the petitioners that the person junior to the petitioners was granted higher pay scale during implementation of the ACP Scales Scheme. Subsequently, the Government itself had issued

instructions to step up the pay of senior employees to the level of the junior, who was getting higher pay. The petitioners have made representation/legal notice dated 12.5.2020 (Annexure P-7). However, the respondents have not taken any action thereon. It is further submitted by the counsel for the petitioners that the petitioners would be satisfied at this stage, if the respondents are directed to take a conscious decision qua the claim of the petitioners.

Notice of motion.

Ms. Kanica Sachdeva, AAG, Punjab, accepts notice on behalf of the State.

It is submitted by the counsel for the State that the State is not averse to considering the claim of the petitioners in view of the instructions and the law applicable to the case.

In view of the above, the present petition is disposed of with a direction to the respondents to treat the present petition as a representation on behalf of the petitioners and to take a final decision thereon, within a period of three months, from the date of receipt of the certified copy of this order.

(RAJBIR SEHRAWAT)
JUDGE

1.10.2020

Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No