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

**CWP-21395 of 2020 (O&M)
Date of Decision: 11.12.2020.**

Ramphal Yadav & Ors.

...Petitioners

V/S

State of Haryana & Anr.

...Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present : Mr. Vijay Pal, Advocate
for the petitioners.

Ms. Mamta Talwar, DAG Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

1. Petitioners herein, engaged as Assistants on contract basis, *inter alia*, seek pay parity with other Assistants appointed on regular basis, on the principle of “equal pay for equal work”. Further prayer is for grant of arrears of salary along with interest.
2. Learned counsel for the petitioners submits that it was after resorting to due selection process that services of petitioners were outsourced on contract basis as Assistants in Secondary Education Department, Haryana. And yet, they are being discriminated against and paid lesser salary than what is paid to regular assistants, discharging the same duties. According to him, this conduct of the respondents is not only inconsistent with their own Notification dated 03.11.2017 (Annexure P-11), but is also in violation of Apex Court judgment rendered in **State of Punjab**

& Ors. Vs. Jagjit Singh & Ors.¹, appended with petition as Annexure P-12.

3. Petitioners submitted representations from time to time but the same have not been adverted till date.

4. Learned counsel for the petitioner submits that petitioners will be satisfied if a direction is issued to the respondent No.2 to just consider the genuine claim of petitioners as per representation dated 04.02.2019 (Annexure P-10).

5. Notice of motion.

6. Ms. Mamta Talwar, DAG Haryana, who has joined the proceedings on advance service of copy of petition, accepts notice on behalf of respondents.

7. In view of restricted prayer of the petitioners, no further pleadings are required. Without adverting to the merits of the case, petition is disposed of with a direction to respondent No.2/ Competent Authority to objectively consider the representation (Annexure P-10) and decide the same as expeditiously as possible, by taking into consideration the Notification/ instructions (Annexure P-11) and judgment rendered by the Apex Court, *ibid*, and record its reasons in case the competent authority is of the view that same are not applicable.

8. Disposed of in above terms.

December 11, 2020
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No