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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of decision: 10.09.2020

+ W.P.(C) 5984/2020

RAHUL BANSIWAL AND ORS Petitioners

Through: Mr. Suresh Sharma, Advocate

versus

THE CHIEF SECRETARY, GOVERNMENT OF
NATIONAL CAPITAL TERRITORY OF DELHI & ORS.

..... Respondents

Through: Ms. Avnish Ahlawat, Standing
Counsel GNCTD (Services) with
Ms. Palak Rohmetra, Advocate for
R-1, 2 & 4
Mr. D. Verma, Advocate for R-3

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

1. Petitioners herein who are serving as Lower Division Clerks in Janak Puri Super Speciality Hospital Society under the aegis of the Government of NCT of Delhi are aggrieved by the action of the Respondents in not granting them the pay scales at the minimum level of pay scales of the regular employees holding the same posts. There is also a challenge to the office order dated 13.12.2016 whereby the pay scale initially granted to them being scale of Rs.5200-20200 plus Grade Pay 1900/- plus admissible allowances, was withdrawn.

2. Learned counsel for the Petitioner submits that the law on the subject is well settled and has been re-affirmed by the Supreme Court in the case of *State of Punjab & Ors. vs. Jagjit Singh & Ors. 2017 (1) SCC*

148 that all temporary employees are entitled to have their pay scales fixed in the minimum of the pay scale of the regular employees in the same posts.

3. Mr. Sharma at the outset submits that all Petitioners have made representations to the Respondents, which have been placed on record with the petition, but so far there has been no decision. He submits, on instructions, that the Petitioners will be satisfied if a direction is issued to Respondent No. 3 to dispose of the representations.

4. Issue notice.

5. Ms. Avnish Ahlawat learned Standing Counsel accepts notice on behalf of Respondent Nos. 1, 2 and 4.

6. Mr. D. Verma learned counsel accepts notice on behalf of Respondent No. 3.

7. In view of the submission of Mr. Sharma, petition is disposed of with a direction to Respondent No. 3 to decide the Representations of the Petitioners appended herein as Annexure P-13 from pages 156 to 258, within a period of two weeks from today in accordance with law. Needless to state that the orders so passed shall be communicated to the Petitioners within a period of one week thereafter. In case there is any surviving grievance of the Petitioners thereafter, they shall be at liberty to take recourse to the remedies available to them in law.

JYOTI SINGH, J

SEPTEMBER 10, 2020/rd