

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

124

Civil Writ Petition No.16572 of 2021 (O&M)
Date of Decision: August 26, 2021

Sania Arora and others

.....Petitioners.

VERSUS

State of Haryana and others

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE G. S. SANDHAWALIA

Present: Mr. Parmender Singh, Advocate
for the petitioners.

(The proceedings are being conducted through video
conferencing, as per instructions)

G.S. SANDHAWALIA, J.(Oral)

By filing the present civil writ petition under Articles 226/227 of the Constitution of India, petitioners seek the grant of minimum regular pay scale in view of the law laid down by the Apex Court in *State of Punjab and others v. Jagjit Singh and others 2016 (4) SCT 641* from the date of their appointment.

Counsel submits that petitioners Sania Arora, Ankit, Deepak and Ankur were appointed as Lab Technician on 07.04.2020, 15.04.2020, 07.04.2020 and 15.04.2020 respectively in pursuance of the advertisement dated 28.03.2020 (Annexure P-1) during the Corona pandemic period on contract basis (Annexure P-2). Accordingly, it is submitted that as per the instructions dated 03.11.2017, keeping in view the judgment in *Jagjit Singh (supra)*, State has issued directions for benefit of minimum of pay scale of the categories to which they belong but they would not be entitled to any of

the allowances attached to the post. It is submitted that representation dated 16.06.2021 (Annexure P-7) has already been moved to respondent No.2, which has not been decided so far.

Notice of motion.

Ms. Kirti Singh, D. A.G. Haryana accepts notice on behalf of respondents.

Keeping in view the limited prayer made by counsel for the petitioners, this Court is of the considered opinion that there is no requirement for receiving reply on behalf of respondents, which will only cause delay in decision making process.

Accordingly, without commenting on the merits of the case and the entitlement of the petitioners to be considered for the said claim, directions are issued to respondent No.2 to take action on the representation dated 16.06.2021 (Annexure P-7) within a period of two months of receipt of certified copy of this order. In case, the petitioners are not found entitled for the relief claimed or there is any legal impediment, a reasoned order be passed and conveyed to the petitioners.

In case, it is found that the petitioners are entitled for the said claim, respondents shall also ensure that all consequential benefits are granted to them.

The writ petition is disposed of accordingly.

(G. S. SANDHAWALIA)
JUDGE

August 26, 2021
Sachin M.

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>