

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

(103)

CWP-19731-2020

Date of Decision: January 19, 2021

Vikas Kumar and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Arya, Advocate, for the petitioners.

Mr. Charanpreet Singh, AAG, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners argues that the petitioners in the present writ petition, who are working as Restorers, are entitled for the same relief, as has been extended to the petitioners in CWP No.7953 of 2020 titled as Sher Singh and others Vs. State of Punjab and others, decided on 10.06.2020 (Annexure P-8), being similarly situated.

Learned counsel for the petitioners submits that the grievance as being raised in the present petition, was also raised in CWP No.7953 of 2020, which was disposed of by this Court on 10.06.2020 by giving a direction to the respondents to consider the claim of the petitioners therein in accordance with law for the grant of higher pay scale, as has been allowed to the Clerks/Restorers working in the establishment of the Civil Secretariat, Punjab as well as in Punjab and Haryana High Court, Chandigarh. Learned counsel for the petitioners further submits that keeping in view the said direction given, the respondents considered the claim of the petitioners therein and allowed the said benefit vide order dated 12.02.2020 (Annexure P-10) but the petitioners in the present writ petition, who are similarly situated to the petitioners in CWP

No.7953 of 2020 have not being extended the said benefit, though, as per the law settled by the Division Bench of this Court in *Satbir Singh Vs. State of Haryana, 2002(2) S.C.T. 354,* once the respondents have found that the similarly situated employees are entitled for a particular benefit, the same should also be extended to all the similarly situated employees without forcing them to approach the Court.

Learned counsel for the petitioners further submits that for the relief which has been claimed in the present petition, the petitioners have already approached the respondents with a legal notice dated 12.09.2020 (Annexure P-4), which is still pending consideration with the respondents and the petitioners will be satisfied at this stage, in case a time bound direction is issued to respondent No.2 to decide the said legal notice by passing an appropriate speaking order.

Mr. Charanpreet Singh, learned Assistant Advocate General, Punjab appearing on behalf of the respondents raises no objection for deciding the legal notice dated 12.09.2020 (Annexure P-4) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 12.09.2020 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 12.09.2020 (Annexure P-4) within a period of three months from the receipt of copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

January 19, 2021
harsha

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