

CWP No.19505 of 2020
CWP No.2382 of 2021 &
CWP No.5729 of 2021

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

1. **CWP No.19505 of 2020**
Date of Decision:-20.04.2022

Balwinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

2. **CWP No.2382 of 2021**

Paramjit Singh (Ex. Inspector) and others

...Petitioners

Versus

State of Punjab and others

...Respondents

3. **CWP No.5729 of 2021**

Mohinder Singh (Ex. Chief Inspector) and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Baljinder Singh, Advocate for

Mr. Vishal Nehra, Advocate
for the petitioners in all cases.

Ms. Anju Sharma Kaushik, DAG, Punjab.

Mr. Ankit Aggarwal, Advocate for
Mr. Anupam Singla, Advocate
for respondents No.3 to 6.

HARSIMRAN SINGH SETHI J.(Oral)

By this common order, three petitions, details of which have been given in the head note of this order, are hereby disposed of as the same question of law is involved in these petitions. For the sake of convenience the facts are being taken from CWP No.19505 of 2020.

The prayer of the petitioners in the present petition is that they have not been granted the increment, which has been granted to the similarly situated employees keeping in view the order passed by this Court in ***CWP No.632 of 2001***, titled as '***Ajit Singh and others vs. The Presiding Officer, Industrial Tribunal, Punjab and another***', decided on ***21.2.2013***. Learned counsel for the petitioners submits that the petitioners also become entitled for the grant of increment keeping in view the order passed by co-ordinate Bench of this Court but the benefit has not been extended to the petitioners on the ground that they were not party in the said petitions.

Learned counsel for the petitioners submits that as per the settled principle of law settled by the Division Bench of this Court in ***CWP No. 4382 of 2002 decided on 21.03.2002 titled as Satbir Singh Vs. State of Haryana***, once the employees are held entitled for a particular benefit, the same should be extended to all the similarly situated employees by the State rather than forcing everyone to approach the Court claiming the same relief.

Learned counsel for the petitioners further submits that the grievance, as has been raised, in the present writ petition, has also been raised by the petitioner in the legal notice dated 16.1.2020 (Annexure P-2), which is still pending consideration with the respondent authorities and the petitioner will be satisfied in case direction is given to the respondents to decide the said legal notice dated 16.1.2020 (Annexure P-2) in a time bound manner.

Notice of motion.

Ms. Anju Sharma Kaushik, DAG, Punjab accepts notice on behalf of respondents and raises no objection in deciding the legal notice dated 16.1.2020 (Annexure P-2) by passing an appropriate speaking order in a time bound manner by the competent authority.

Without going into the merits of the case or the claim being made by the petitioner in the present petition or in the legal notice, the respondent No.3 is directed to decide the legal notice dated 16.1.2020 (Annexure P-2) within a period of eight weeks from the date of receipt of certified copy of this order. In case, after the decision, the petitioner is found entitled for any benefits, the same be also extended to him within a period of next four weeks.

April 20, 2022
Vijay Asija

(**HARSIMRAN SINGH SETHI**)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No