

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

**CWP-21845-2020
Date of decision : 24.04.2023**

Mukesh Kumar and others

..... Petitioners

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. Inderpreet Singh Kang, AAG, Punjab.

Mr. Vikas Chatrath, Advocate
for respondents No.3 and 4.

PANKAJ JAIN, J. (Oral)

As per the petitioners, the controversy involved will be similar to the one involved in ***CWP No.30016 of 2018 titled as Tarsem Singh and others vs. State of Punjab and others*** and that in ***CWP No.16789 of 2020 titled as Gurmukh Singh and others vs. State of Punjab and others***.

2. Mr. Chatrath does not dispute the aforesaid fact.
3. The aforesaid two petitions came up for consideration before this Court and the same stands disposed off vide order dated 12.01.2023 which reads as under:-

“These two petitions have been filed invoking writ jurisdiction of this Court seeking mandamus directing the respondents to regularize the services of the petitioners and further directions to pay the salary/emoluments

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similar to the one being paid to the regular employees working in PUNBUS and Punjab Roadways on the principle of equal pay for equal work.

2. Counsels are *ad idem* that writ petition No.16697 of 2020 came up for consideration before this Court involving similar question wherein this Court directed the competent authority to consider the representation made by the petitioners after affording them an opportunity of hearing and to take a reasoned decision thereafter within a period of 03 months from the date of receipt of representation made by the employees.

3. Counsel for the petitioners submits that the petitioners herein have already filed a representation (Annexure P-8 in CWP No.30016 of 2018) which is pending before respondent No.3 in the writ petition i.e. Managing Director, Punjab State Bus Stand Management Company Ltd. As in CWP-16789-2020, legal notice (Annexure P-4) has been served at the behest of the petitioners, which is still pending adjudication.

4. In view of the aforesaid factual position, present writ petitions are disposed off with a direction to respondent No.3 to consider the representation/legal notice served at the behest of the petitioners after affording them an effective opportunity of hearing. Needless to say, the petitioners shall be at liberty to supplement the representation/legal notice within a period of 15 days from today. The competent authority shall thereupon take a decision in accordance with law within a period of 03 months. In case, the petitioners are entitled for their right, the same be granted within the aforesaid period and in case the authority finds that they are not entitled, the same be rejected by passing a speaking order

in accordance with law within the time period as stipulated herein.

5. Ordered accordingly.”

4. Disposed off in the same terms with a direction to respondent No.3 to consider the representation/legal notice dated 04.06.2018 (Annexure P-6) served at the behest of the petitioners after affording them an effective opportunity of hearing. Needless to say, the petitioners shall be at liberty to supplement the representation/legal notice within a period of 15 days from today. The competent authority shall thereupon take a decision in accordance with law within a period of 03 months. In case, the petitioners are entitled for their right, the same be granted within the aforesaid period and in case the authority finds that they are not entitled, the same be rejected by passing a speaking order in accordance with law within the time period as stipulated herein.

5. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

24.04.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No