

CWP No.3172 of 2023 (O&M)
Date of decision : 16.02.2023

SR/CT Sarup Singh & ors.

....Petitioners

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. J.S.Mohri, Advocate
for the petitioners.

PANKAJ JAIN, J. (ORAL)

By way of present writ petition filed under Article 226/227 of the Constitution of India the petitioners pray for stepping up of their pay at par with that of respondents No.6 to 12, who are claimed to be junior to the petitioners.

Learned counsel for the petitioners relies upon order passed by Co-ordinate Bench in CWP No.8290 of 2020 dated 19.06.2020 titled as ***Sukhwinder Singh & ors. Vs. State of Punjab & ors.***, whereby similarly situated persons approached this Court. This Court disposed off the writ petition to decide their legal notice and while deciding the same, the petitioners in the said writ petition were granted relief vide Annexure P-11.

Learned counsel for the petitioners submits that he would be satisfied at this stage, if legal notice served at the behest of the petitioners dated 28.10.2022 (Annexure P-9) is ordered to be decided by passing a speaking order within a time bound frame.

Notice of motion.

Mr. Sehajbir S.Aulakh, Asstt. A.G., Punjab, who is present in Court accepts notice on behalf of the respondents. He submits that the claim of the

petitioners in the legal notice (Annexure P-9) is under consideration and the same will be decided within a period of 8 weeks from the date of receipt of certified copy of this order.

I have heard learned counsel for the parties and have gone through the record of the case.

Without expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.2- Competent Authority is directed to consider and decide the claim made in the legal notice dated 28.10.2022 (Annexure P-9), in accordance with law, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order. In case, the petitioners are found entitled, their claim be released within a period of 8 weeks thereafter. However, in case the competent authority is of the opinion that the claim of the petitioners *sans* merit, the same be adjudicated by passing a speaking order in accordance with law after affording opportunity of hearing to the petitioners within the time period stipulated hereinabove. It is made clear that in case the stipulation of time is not adhered to, respondent No.2 shall be liable to pay an amount of Rs.5,000/- each to the petitioners from his own pocket.

The petition stands disposed off.

16.02.2023

pooja sharma-I

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes
No