

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17461-2023
Date of decision: 11.08.2023

Amrik Singh and othersPetitioners
V/s
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Ramandeep Kaur, Advocate
for the petitioners.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of writ, directing the respondent authorities to pay the petitioners the same pay scale as is being paid to the technician having the qualification of matric with ITI with retrospective effect and with a further prayer for issuance of writ of mandamus directing the respondent authorities to release the arrears along with 18% penal interest.

Learned counsel for the petitioner contends that pay scale of the employees holding technical posts were revised in terms of Punjab Govt., Financial Department Notification dated 20.01.1989, whereby employees having qualification of matriculation with ITI were designated as technician Grade-III and were given the pay scale of Rs.1200-2100. He submits that 4th Punjab Pay Commission also recommended separate pay scales of the skilled and semi-skilled staff and designated them as Junior Technician, Junior Technician Grade-II and Junion Technician Grade-I in the ratio of 50:30:20 and the recommendation of the said pay commission was made applicable w.e.f. 01.01.1996. Thereafter, on 17.09.2002, all the skilled and semi-skilled employees working in the Govt., department were granted the aforesaid

benefit but the same was not granted to the employees of local bodies and the

employees of local bodies approached this Court by way of CWP-14972-2002 seeking the same revised pay scale as contained in Chapter 26 of the 3rd Pay Commission. He further submits that in order to implement the decision of this Court passed in CWP No-14972 of 2022, the Municipal Council, Mandi Gobindgarh passed Resolution No.98 dated 11.11.2010 to implement the decision of the Govt., to grant benefit of placement/promotion in the higher scale to the post of Junior Technician, Technician Grade-II, Technician Grade-I in the ration of 50:30:20.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of respondents No.1 & 2 and submits that representation dated 06.09.2021 is addressed to respondent No.4-The Executive Officer, Nagar Council, Mandi Gobindgarh, District Fatehgarh Sahib and not to the respondent No.2-The Director, Local Government, Chandigarh, who has accorded the approval for granting pay scale to the similarly situated employees vide order dated 05.06.2023.

Faced with this, learned counsel for the petitioners prays that the present writ petition be treated as representation.

In view of the above, without expressing any opinion on the merits of the case, respondent No.2 is directed to treat the present petition as a representation and decide the same by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order.

The petition stands disposed of and present writ petition be treated as representation.

(DEEPAK MANCHANDA)
JUDGE

11.08.2023
Sapna