

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-18756-2023 (O&M)
Date of Decision:-25.08.2023

Daman Bir Singh and others ... Petitioners

Versus

State of Punjab and others . . . Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jagtar Singh Sidhu, Advocate, for the petitioners.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners who were appointed as DSPs on 29.12.2016 in State of Punjab had been given salary to the extent of the Basic Pay only without any allowances or increment during their probation period in view of the Notification No.7/204/2012-4FP1/60 dated 15.1.2015.
2. Learned counsel for the petitioners submitted that the said notification has been struck down by Division Bench of this Court in CWP No.8922 of 2017 titled Gurwinder Singh and others Versus State of Punjab and others, decided on 13.9.2018 and CWP No. 17064 of 2017 titled Ajay Kumar Singla and others Vs. State of Punjab and others, decided on 16.2.2023.
3. Notice of motion.
4. Pursuant to service of advance notice Mr. Inderpreet Singh Kang, AAG, Punjab has put in appearance on behalf of the respondents. Learned State counsel has not been able to dispute the position of law as existing today but

has informed that the State has preferred a Special Leave Petition before Hon’ble the Supreme Court against the aforesaid judgment dated 13.9.2018 and order dated 8.11.2019 passed in Gurwinder Singh’s case (supra), which is still pending and wherein no stay has been granted by Hon’ble the Supreme Court. It is also not disputed that several other identical petitions have already been disposed of in view of Gurwinder Singh’s case (supra).

5. Having regard to the aforestated position, the instant petition is also disposed of with a direction to the respondent – State to extend the same benefits to the petitioners as have been extended to the petitioners in Gurwinder Singh’s case (supra), subject of course to any decision to the contrary passed by Hon’ble the Supreme Court, if any, in the Special Leave Petition filed by the State.

25.08.2023
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No