

**CWP-8193-2019 (O&M) & -1-
connected cases**

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

227 (03 cases)

**CWP-8193-2019 (O&M)
Date of Decision :09.12.2024**

Baljinder Singh & others

...Petitioners

Versus

State of Punjab and others

...Respondents

CWP-12912-2022 (O&M)

Navgagandeep Singh & others

...Petitioners

Versus

State of Punjab and others

...Respondents

CWP-131-2024 (O&M)

Manisha Sharma

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sunny Singla, Advocate with
Ms. Riti Aggarwal, Advocate for the petitioners
in CWP-8193-2019.

Mr. K.K. Thakur, Advocate for petitioner(s)
in CWP-131-2024 & CWP-12912-2022.

**CWP-8193-2019 (O&M) & -2-
connected cases**

Mr. Amar Preet Singh Bains, AAG, Punjab.

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Harsimran Singh Sethi, J. (Oral)

In the present petitions, the grievance of the petitioners is that they are working with the respondent-department on the post of Clerk but they are not being released their annual increment which is admissible to them though, they have already cleared all the requirements including the passing of Punjabi Type test hence, the respondents be directed to release their increment from the date they passed their Punjabi Type test.

Upon notice of motion, the respondents have filed reply wherein, it has been stated that from the year 2017 onwards, all the Punjabi typing work within the State of Punjab is being done in the 'Raavi Font' whereas, inadvertently the Punjabi Type test of the petitioners was taken in 'Asees Font', which is entirely different hence, the claim of the petitioners has rightly been rejected keeping in view the instructions dated 02.03.2017.

Learned counsel for the respondents submits that the officers, who conducted the test, have already been proceeded against and the charge sheets have also been issued against them for wrongly making the petitioners appear in the Punjabi Type test in "Asees Font". Learned counsel for the respondents further submits that the petitioners have been given various opportunities to clear the Punjabi Type test in 'Raavi Font' but they have failed to appear in the said test hence, the benefit of increment being claimed by the petitioners is not admissible to them.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

**CWP-8193-2019 (O&M) & -3-
connected cases**

It may be noticed that from the year 2017 i.e. much prior to the appointment of the petitioners as Clerk with the respondent-department, all the Punjabi typing work in the State of Punjab is being done in the 'Raavi Font'. Learned counsel for the petitioners concedes that even as of now, the petitioners are doing Punjabi typing work in 'Raavi Font' only.

That being so, the petitioners' eligibility to type is to be checked in Punjabi typing in 'Raavi Font' only. The respondents have wrongly conducted the Punjabi typing test in 'Asees Font', the benefit of which is being claimed by the petitioners. Once, the respondents have conducted the Punjabi Type test in a wrong font, which font is not being used by the respondent-department any more within the State of Punjab, clearing the said Punjabi Type test in 'Asees Font' by the petitioners will not give them any right.

Further, even the respondents are obligated to give chance to the petitioners to clear the Punjabi type test in 'Raavi Font' so that the petitioners also do not suffer any prejudice.

Keeping in view the above, the respondents are directed to give at least two chances to the petitioners to clear the Punjabi type test in 'Raavi Font'. Both the test will be held within a gap of at least one month and the said process be completed within a period of four months from today. In case, in any of the Punjabi type test 'Raavi Font' undertaken, the petitioners passes the Punjabi type test in 'Raavi Font', the same will be treated having passed from the date the petitioners passed the Punjabi Type test in 'Asees Font' so as to be eligible for the benefit of increments. In case, any of the petitioner passes the Punjabi type test in 'Raavi Font' in any of the two

**CWP-8193-2019 (O&M) & -4-
connected cases**

chances, the benefit of increment be given to them from the date they passed the Punjabi type test in ‘Asees Font’ with all consequential benefits. In case, any of the petitioner fails to pass the Punjabi type test, the respondents will be free to take any action which is needed under those circumstances.

Present petitions are disposed of in above terms.

Civil miscellaneous application pending if any is also disposed of.

A photocopy of this order be placed on the file of connected cases.

December 09, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No