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2024:PHHC:017791

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-2803-2024

Date of decision: 08.02.2024

GURJEET SINGH AND OTHERS

...PETITIONERS

Vs.

STATE OF PUNJAB AND ANR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Gangeshwar Walia, Advocate
for the petitioners.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioners through the instant petition under Articles 226 of the Constitution of India are seeking direction to respondents to grant pay scale as per advertisement No. 4 of 2016 (Annexure P-1).
2. The petitioners pursuant to advertisement No.4 of 2016 participated in the selection process, however, they were not selected at the first instance. The petitioners came to be appointed vide recommendation dated 12.03.2021 of Subordinate Service Selection Board, Punjab. The recommendation categorically provides that appointment of petitioners is against advertisement No.4 of 2016. The petitioners were issued appointment letter on 17.05.2021 wherein pay scale different from pay scale jotted down in the advertisement was proposed. The batchmates of the petitioners have been granted pay scale as mentioned in the advertisement whereas petitioners are granted lower pay scales.

3. Counsel for the petitioners submits that petitioners being appointed against advertisement of 2016 cannot be discriminated with their batchmates. They cannot be extended lower pay scale merely because they have joined at a later point of time. The petitioners have served upon respondents legal notice dated 18.11.2023 (Annexure P-20) but of no avail.
4. Notice of motion.
5. Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court, accepts notice on behalf of respondents and waives service.
6. With the consent of both sides, the case is taken up for final adjudication.
7. Mr. Aman Dhir, learned State Counsel assures the Court that Competent Authority would look into legal notice dated 18.11.2023 of the petitioners and pass an appropriate order, in accordance with law in force, within 3 months from today.
8. Counsel for the petitioners agrees with the aforesaid arrangement.
9. In the wake of statement of learned State Counsel, the present petition stands disposed of.

08.02.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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