

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

129

CWP-5753-2024
Date of decision: 12.03.2024

Kulvinder Singh and others
.....Petitioners
Versus
State of Punjab and others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ranjivan Singh, Advocate
for the petitioners.

AMAN CHAUDHARY. J.

1. The prayer in the present Civil Writ Petition filed under Articles 226/227 of the Constitution of India, is to issue a writ in the nature of certiorari, for quashing the office order dated 05.11.2018, Annexure P-2.
2. Learned counsel would submit that the petitioners are being paid only fixed emoluments during the period of probation, instead of regular scale which is covered in their favour by the judgments passed by this Court in **CWP-8922-2017** titled as Gurwinder Singh and others vs. State of Punjab and others, decided on 13.09.2018, Annexure P-49; **CWP-6391-2016** titled as Dr. Vishavdeep Singh and others vs. State of Punjab and others, decided on 26.10.2018, Annexure P-50 and **CWP-17064-2017** titled as Ajay Kumar Singla and others vs. State of Punjab and others, decided on 16.02.2023, Annexure P-51. In this regard, a legal notice dated 27.04.2023, Annexure P-52, has been served upon the respondents, which has yet not evoked any response. Even thereafter, the Division Bench of this Court in **CWP-7099-2023**, titled as Sandeep Kumar and others vs. State of Punjab and others, decided on 16.08.2023, Annexure P-55 has decided the same issue in favour of the

petitioners. He thus, at this stage, on instructions, submits that the petitioners are sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting them an opportunity of hearing.

3. Notice of motion.

4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to consider the legal notice 27.04.2023, Annexure P-52 and decide the same taking note of the aforesaid judgments within a period of six months and if found entitled, the arrears be released to the petitioners forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating them therewith.

(AMAN CHAUDHARY)
JUDGE

12.03.2024
Hemant

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