

114

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-7365-2024  
Date of decision: 02.04.2024

Mohd. Shadab Alam and others

...Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Rashpinder Singh Sohi, Advocate for the petitioners.  
Mr. TPS Walia, AAG, Punjab.  
Ms. Tanu Bedi, Advocate and  
Mr. Akhil Dadwal, Advocate for respondent Nos.3 to 11.

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**VIKAS BAHL, J. (ORAL)**

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondent authorities to pay the petitioners the pay scale of Rs.29200/- (Level 5) as per the 7<sup>th</sup> Central Pay Commission adopted by Government of Punjab vide its Notification No.7/42/2020-5ep1/741-746 dated 17.07.2020 with retrospective effect and with a further prayer for the issuance of a writ in the nature of mandamus directing the respondents authorities to release the arrears along with 18% penal interest.
2. Learned counsel for the petitioners has submitted that in pursuance of employment notice for recruitment of Stenographer Grade-III

in the Subordinate Courts of Punjab dated 17.08.2021, the petitioners had applied for the posts and were appointed after following the due procedure of law and as per the 7<sup>th</sup> Central Pay Commission, they were granted minimum pay of Rs.21700/- (Level 3) which was adopted by the Punjab Government on 17.07.2020, although the petitioners were entitled to the payscale of Rs.29200/- (Level 5) as per the 7<sup>th</sup> Central Pay Commission. It is further submitted that Hon'ble Punjab and Haryana High Court had issued a letter dated 29.09.2022 to all the District and Sessions Judges in the State of Punjab informing them that the High Court had adopted three letters which had been issued by the State of Punjab. It is also submitted that a letter dated 02.02.2023 (Annexure P-6) was written by the Registrar General of this Court to the Superintendent, Department of Home Affairs and Justice (Judicial-1 Branch), Government of Punjab, Chandigarh forwarding the letters received from the District and Sessions Judges of the State of Punjab with a request to provide the clarification as sought by the said District and Sessions Judges. It is submitted that in the said correspondence, clarification was sought with respect to memo dated 13.01.2022 issued by the State of Punjab and request was made to provide pay scales admissible for the post of Clerk, Stenographer Grade-III, Driver and Process Server in consonance with the Court's letter dated 27.05.2021 and with further request to send the fixation chart under the 7<sup>th</sup> Pay Commission Report for granting of Annual Grade Increments and other financial benefits to the officials. It is contended that although a period of more than one year has lapsed but no clarification has been given by the State of Punjab to the letter dated 02.02.2023 and no relief has been granted

to the petitioners.

3. Learned State Counsel appearing on behalf of respondent No.1 has submitted that the State of Punjab would send clarification as sought by the Registrar General of this Court vide letter dated 02.02.2023 within a period of three months from the date of receipt of certified copy of the present order and would forward the same to the Hon’ble High Court.

4. Learned counsel appearing on behalf of respondent Nos.3 to 11 has submitted that once clarification is given by the State of Punjab with respect to letter dated 02.02.2023, then, further necessary action, in accordance with law, would be taken, as expeditiously as possible, preferably within a period of two months from the date of receipt of clarification from the State of Punjab.

5. Learned counsel for the petitioners has submitted that the statements made on behalf of the respondents at this stage satisfied the claim of the petitioners but has submitted that the respondents be bound by their statements made before this Court.

6. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of at this stage on the basis of statements made on behalf of the respondents and the respondents would be bound by their statements made before this Court.

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

02.04.2024

Pawan

(VIKAS BAHL)  
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No