

CWP-10789-2016 & connected cases 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)	CWP-10789-2016 Date of Decision : November 21, 2024	
Prem Kumar and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(2)	CWP-11190-2016	
Chet Ram and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(3)	CWP-24583-2015 (O&M)	
Mulakh Raj and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(4)	CWP-13312-2018	
Karamjit Kaur and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(5)	CWP-16748-2016	
Amrik Singh and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents

CWP-10789-2016 & connected cases 2

(6)	CWP-18396-2015	
Amarjeet Miglani and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(7)	CWP-1830-2016	
Amrik Chander and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(8)	CWP-2374-2016	
Harinder Singh and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(9)	CWP-22507-2015	
Ramesh Devi and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(10)	CWP-24584-2015	
Manmohan Singh and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(11)	CWP-25541-2017	
Sikander Singh and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents

CWP-10789-2016 & connected cases 3

(12)	CWP-26172-2015	
Krishan Lal and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(13)	CWP-26183-2015	
Sat Pal and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(14)	CWP-26863-2015	
Malkit Singh and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(15)	CWP-26905-2015	
Santokh Singh and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(16)	CWP-4034-2024	
Mohar Singh and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents
(17)	CWP-5620-2016	
Gurjant Singh and others		.. Petitioners
	Versus	
State of Punjab and others		.. Respondents

**CWP-10789-2016 & connected cases 5**

2. In the present bunch of petitions, the claim being raised by the petitioners is that as they had been re-designated as Junior Assistant on 01.01.1996, the petitioners are entitled for the same benefit, as already has been granted to the petitioners in ***CWP No.22422 of 2010 titled as Anil Kumar and others vs. State of Punjab and others, decided on 16.05.2012,*** which judgment has already been upheld in LPA No.1729 of 2012 and further, SLP has also been dismissed though, the question of law has been kept opened.

3. Learned counsel for the petitioners submits that the petitioners are not being given the benefit only on the ground that the petitioners in these bunch of petitions were not party in ***Anil Kumar's case (supra)***.

4. Learned counsel for the petitioners further submits that an anomaly has occurred as senior Junior Assistants have been denied the benefit of the pay scale whereas the juniors to the petitioners, who were party in ***Anil Kumar's case (supra)***, has already been granted the benefit of the pay scale, which is causing prejudice to the petitioners hence, the petitioners are also entitled for the benefit as given to the petitioner in ***Anil Kumar's case (supra)***.

5. Learned counsel for the respondents has not been able to differentiate that the petitioners in the present bunch of petitions are similarly situated as ***Anil Kumar's case (supra)***.

6. Learned counsel for the respondents, on the instructions from Ms. Jaswinder Kaur, Sr. Assistant and Mr. Harmanjit Singh, Sr. Assistant, O/o DPI, Department of Education, Punjab, submits that the claim of all the petitioners will be considered in terms of the judgment in ***Anil Kumar's case (supra)*** and in case, they are found similarly situated as the petitioner

**CWP-10789-2016 & connected cases 6**

in *Anil Kumar's case (supra)*, the benefit extended to the petitioner in *Anil Kumar's case (supra)*, will also be extended to them.

7. Learned counsel for the respondents further submits that in case, any of the petitioner is not similarly situated as petitioner in *Anil Kumar's case (supra)*, appropriate order will be passed regarding their entitlement for the grant of pay scale as extended to the petitioner in *Anil Kumar's case (supra)*.

8. At this stage, learned counsel for the petitioners submits that after the filing of the writ petitions, now on 29.08.2024, an order has been passed by the respondents that any Junior Assistant, who was in place upto 19.05.1998, they are to be granted the benefit of pay scale of Rs.5000-8100/- and while deciding the claim of the petitioners, who were designated as Junior Assistant though after 01.01.1996 but before 19.05.1998 be also considered in light of the said decision taken by the Government.

9. Learned State counsel submits that while considering the claim of the petitioners, the letter dated 29.08.2024 will also be kept in mind and in case, any petitioner is entitled for the benefit under the said letter dated 29.08.2024, will also be extended the benefit and appropriate order on the claim of the petitioners will be passed qua their entitlement giving due reasons within a period of eight weeks of the receipt of copy of this order.

10. Learned counsel for the petitioners submits that keeping in view the statement of learned counsel for the respondents, the present writ petitions may kindly be disposed of having been not pressed any further.

11. Ordered accordingly.

**CWP-10789-2016 & connected cases 7**

12. Civil miscellaneous application pending if any, also stands disposed of.

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

November 21, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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