

2024:PHHC:026398
215 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: 26.02.2024
CWP-24567-2015

GURJINDER SINGH AND ORS ... PETITIONERS
VS.
PEPSU ROAD TRANSPORT CORPORATION PATIALA AND ANR
.. RESPONDENTS

CWP-24565-2015

KARAMJIT SINGH AND ORS ... PETITIONERS
VS.
PEPSU ROAD TRANSPORT CORPORATION PATIALA AND ANR
.. RESPONDENTS

CWP-24571-2015

BIKKAR SINGH AND ORS ... PETITIONERS
VS.
PEPSU ROAD TRANSPORT CORPORATION PATIALA AND ANR
.. RESPONDENTS

CWP-24581-2015

MALVINDER SINGH AND ORS ... PETITIONERS
VS.
PEPSU ROAD TRANSPORT CORPORATION PATIALA AND ANR
.. RESPONDENTS

CWP-24608-2015

SUKHJINDER SINGH AND ORS ... PETITIONERS
VS.
PEPSU ROAD TRANSPORT CORPORATION PATIALA AND ANR
.. RESPONDENTS

CWP-15529-2016 (O&M)

JOGA SINGH & ANR ... PETITIONERS
VS.
PEPSU ROAD TRANSPORT CORPORATION PATIALA AND ANR
.. RESPONDENTS

CWP-14119-2021

INDERJIT SINGH AND ORS ... PETITIONERS
VS.
PEPSU ROAD TRANSPORT CORPORATION PATIALA AND ANR
.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. S.S.Salar, Advocate, for the petitioners.

Mr. Anupam Singla, Advocate
for the respondents.

NAMIT KUMAR, J.(ORAL)

Vide this common order, the above mentioned writ petitions shall dispose of as common question of facts and law are involved therein. For the sake of brevity, facts are being culled out from CWP-24567-2015.

The instant writ petition has been filed by the petitioners under Article 226/227 of the Constitution of India seeking a writ in the nature of mandamus for claiming the following reliefs:-

“i xxxxxxxx

ii. Benefit of leave encashment w.e.f Initial date of appointment mentioned in para 2 above by leaving 18 months probation period.

iii. The difference of salary w.e.f 22.03.2010 i.e the date of judgment instead of the date when they were regularized.

iv. The grant of annual increments and proficiency step up increments of 04-09-14 by treating them regular w.e.f. the initial date of appointment by leaving 18 months probation period.

v. Be brought under General Provident Fund Pension Scheme by treating them regular w.e.f. the initial date of appointment by leaving 18 months probation period.

vi. To pay the interest for the delayed payment.

vii. Award the interest @ 18% on the amount payable to the petitioners w.e.f 22.03.2010 till its payment.”

Learned counsel for the respondents submits that the difference of salary with effect from 22.03.2010 has already been granted to the petitioners. He has referred to the averments made in the additional affidavit dated 18.08.2022 filed in CWP-24565-2015.

However, learned counsel for the petitioners has disputed the aforesaid fact. He contends that the petitioners shall serve a justice demand notice upon the respondents for claiming all the remaining benefits including the benefit under the General Provident Fund Pension Scheme, in view of the law laid down by the Division Bench of this Court in **Harbans Lal Vs. State of Punjab and others, 2012 (3) SCT 362** and the same shall be considered and decided by the respondents in a time bound manner.

Learned counsel for the respondents has no objection to the abovesaid prayer. He submits that the same shall be considered in accordance with law.

If any such justice demand notice is served by the petitioners, within a period of one month from today, the same shall be considered and decided by the respondents, within a period of four months thereafter and if the petitioners are held entitled to certain benefits, the same shall be released within a period of one month thereafter.

Disposed of in above terms.

26.02.2024
smriti

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No