

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221+233

CWP-10873-2019
Date of Decision :06.02.2024

Sunil Kumar and others

...Petitioners

Versus

State of Haryana and others

....Respondents

CWP-18327-2020

Rajesh Kumar

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Stephan Masih, Advocate for the petitioners
in CWP-10873-2019.

Mr. Vijay Pal, Advocate for the petitioner
in CWP-18327-2020.

Mr. Harish Rathee, Senior DAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

1. In the present petitions, grievance of the petitioners is that the petitioners are entitled for the grant of minimum of the regular pay scale as per the judgement of Hon'ble Supreme Court of India in **Civil Appeal**

No.213-2013 titled as State of Punjab vs. Jagjit Singh, decided on

26.10.2016.

2. Learned counsel for the respondents submits that the petitioners have already been granted the said benefit under the instructions dated 03.11.2017 (Annexure R-3) issued by the respondent-State.

3. Learned counsel for the petitioners submits that the petitioners are entitled for the grant of benefit in question from the date of the judgment in **Jagjit Singh (supra)** i.e. 26.10.2016 and not from 01.11.2017 keeping in view the order passed by the Coordinate Bench of this Court in **CWP-15553-2018 titled as Sandeep and others vs. State of Haryana and others decided on 20.02.2019.** Learned counsel for the petitioners further submits that once the Coordinate Bench of this Court while passing order in **Sandeep (supra)** has granted the benefit from the date of the judgment of the Hon'ble Supreme Court of India in **Jagjit Singh (supra)** i.e. from 26.10.2016, the same be made applicable upon the petitioners also.

4. Learned counsel for the respondents has not been able to differentiate the claim of the petitioners herein to that of petitioners in **Sandeep (supra)** wherein, the Coordinate Bench of this Court has granted the benefit of regular pay scale as envisaged in the judgment passed by Hon'ble Supreme Court of India in **Jagjit Singh (supra)**.

5. Keeping in view the above, the petitioners are held entitled for the benefit of pay as envisaged under the instructions dated 03.11.2017 (Annexure R-3) with effect from the date of judgment of Hon'ble Supreme Court of India in **Jagjit Singh (supra)** i.e.26.10.2016.

6. Let the arrears for which the petitioners are entitled under this order be calculated and released to the petitioners within a period of three months from the date of receipt of copy of this order.

- 7. Present petitions stand disposed of in above terms.
- 8. A photocopy of this order be placed on the file of connected case.

February 06, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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