



CWP-24782-2016 (O&M) -2-
CWP-13953-2019 (O&M) &
CWP-13825-2019 (O&M)

**CM-20691-CWP-2023;CM-20674-CWP-2023 &
CM-20675-CWP-2023**

As prayed for applications are allowed.

Main cases

In the present petitions, grievance being raised by the petitioners is that the petitioners were not given absorption on higher post carrying higher pay scale while employees junior to them were given the said benefit.

Learned counsel for the petitioners submits that the petitioners be given benefit of deemed date for adjustment in the pay scale of Rs.1800-3200 with effect from the date the juniors of the petitioners were adjusted and benefit of the judgment of this Court in **CWP-15199-2003 titled as Rakesh Beri vs. State of Punjab and another, decided on 29.02.2012** should also be extended to the petitioners.

Learned counsel for the petitioners further submits that keeping in view the judgment of this Court in **Rakesh Beri (supra)** benefit of the same has been extended by the respondents to the similarly situated employees while passing order dated 09.06.2020 (Annexure P/12) in the case of Charanjit Singh, Dalbir Singh, Surinder Kumar, Harmesh Kumar, Gurmeet Singh and Jagdeep Singh, who were also similarly situated. Learned counsel for the petitioners further submits that the similar relief has also been granted to one Suresh Kumar Chauhan vide order dated 02.08.2023 (Annexure P/13) on the same analogy as given to the other similarly situated employees details of whom have been given hereinabove



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hence, the respondents are under an obligation to consider the claim of the petitioners on the same analogy for the grant of benefit of deemed adjustment from the date of their initial appointment.

Learned counsel for the respondent-State submits that claim of the petitioners will also be considered in the light of the judgment of this Court in **Rakesh Beri (supra)** as well as order dated 09.06.2020 passed in the case of similarly situated employees as noted hereinbefore, within a period of 08 weeks from the date of receipt of copy of this order and in case, it is found that petitioners are similarly situated, an appropriate speaking order granting the said relief will be passed in favour of the petitioners otherwise, due reasons for not accepting the claim of the petitioners will be mentioned in the speaking order so passed which will be conveyed to the petitioners for their information and necessary action.

Learned counsel for the petitioners submits that keeping in view the statement made by learned counsel for the respondent-State present petitions may kindly be disposed of having been not pressed any further.

Ordered accordingly.

Civil miscellaneous application pending, if any is also disposed of.

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

August 27, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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