



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

Date of Decision : 21.08.2024

1. CWP-9221-2014 (O&M)

Prabhjot Singh and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

2. CWP-11073-2014 (O&M)

Ravi Inder Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kapil Kakkar, Advocate
for the petitioners.

Mr. Swapan Shorey, DAG, Punjab.

Mr. Shekhar Verma, Advocate
for respondent No.2.

HARSIMRAN SINGH SETHI J. (ORAL)

1. By this common order, this Court proposes to dispose of the
above referred two writ petitions.

2. In the present petitions, the grievance being raised by the
petitioners is that they are entitled for the grant of regular pay scales from
the date their services were regularized and not from the date when actual



order has been passed.

3. Learned counsel for the petitioners submits that the issue which has been raised in the present petition was also raised in **CWP No. 21750 of 2012**, which was decided by a Coordinate Bench on 04.10.2013 titled '**Jeewan Jyoti & others vs. State of Punjab & others**' wherein the similar relief being claimed, has already been allowed and against the said judgment the LPA filed by the State being **LPA No. 56 of 2014** has also been dismissed.

4. Learned counsel for the petitioners submits that the relief has been given to the similarly situated employees who were petitioners in **Jeewan Jyoti & others'** case (supra). Learned counsel for the petitioners further submits that out of the total 580 petitioners in the present petition, 559 have already been granted the relief being claimed in the present writ petition by the respondents themselves after the filing of the writ petition and only 25 employees are left, who are still being discriminated though, the issue has already been settled by this Court in **Jeewan Jyoti & others'** case (supra).

5. Learned counsel for the respondent-State has not been able to rebut the fact that the petitioners in **Jeewan Jyoti & others'** case (supra) were similarly placed as the petitioners herein and also the fact that out of 580, 559 have already been granted the benefit of pay as given to the petitioners in **Jeewan Jyoti & others'** case (supra).

6. Keeping in view the above, as no differentiating fact with the case of the petitioners and that of **Jeewan Jyoti & others'** case (supra) has



been brought to this Court, these writ petitions are allowed.

7. At this stage, learned counsel appearing on behalf of the State submits that there is a stipulation in the regularization order passed in the case of the petitioners as compared to **Jeewan Jyoti & others'** case (supra) where, it has been mentioned that the petitioners are to be given the regular pay scale after the passing of the order and not from the date their services have been regularized.

8. It may be noticed that the similarly situated employees are to be treated similarly and their services cannot be regularized under different conditions. Once, 559 people have already been granted benefit, the argument being raised by the learned counsel for respondent No.2-Society that the appointment orders of the remaining petitioners are different, cannot be accepted and once, 559 petitioners have been granted the benefit as given to petitioners in **Jeewan Jyoti & others'** case (supra), the benefit to the remaining 21 employees cannot be denied.

9. All pending applications, if any, stand disposed of accordingly.

10. A photocopy of this order be placed on the file of the other connected case.

21.08.2024

Satyawan

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No