

CWP-19161 of 2024

2024:PHHC:102/37



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CWP-19161 of 2024

Date of decision: 09.08.2024

Umrinder Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: - Mr. Kshitij Sharma, Advocate, and  
Mr. Shubhkarman Singh Gill, Advocate,  
for the petitioners.

Ms. Saguna Arora, AAG, Punjab.

**NAMIT KUMAR, J. (ORAL)**

1. Petitioners, who are working on various posts such as Conductor, Sub-Inspector and Inspector, have approached this Court by filing the instant writ petition under Articles 226/227 of the Constitution of India, claiming parity with the posts of Clerks. The basic grievance of the petitioners is that initially they were appointed as Conductors and the post of Conductor has been equated with that of Clerk and remained in the same pay scale upto the year 2011, when the parity was disturbed and the same has been again maintained in the year 2021 w.e.f. 01.01.2016.

2. Learned counsel for the petitioners has placed reliance upon the order dated 23.04.2024 (Annexure P-12) passed by a Co-ordinate Bench of this Court in ***CWP-17592 of 2015 – Pardeep Kumar and others v. State of Punjab and others*** and connected case wherein



directions have been issued to dispose of the representation to be submitted by the petitioners. The said order reads as under: -

*“2. The prayer in the present petitions is for quashing the order dated 20.02.2014 as well as the letter dated 16.01.2014 and consequential proceedings as also for directing the respondents to grant the pay scale of Rs. 10,300-34,800 with grade pay of Rs.3200 with an initial pay of Rs.13,500 w.e.f. 01.12.2011.*

*3. Learned counsel for the petitioners submit that during pendency of the present petitions, substantive relief has been granted to them inasmuch as the anomaly stands removed, however, for the period from the year 2011 to 2021, the discrepancy/anomaly in the basic pay still remains which needs to be addressed by the respondents, with regard to which, the submission made is that as per the schedule appended with the Punjab Civil Services (Revised Scale of Pay) Rules, 1969, the post of Conductor and Clerk were equated in the matter of grant of pay scale/emoluments. The position remained so till the issuance of notification dated 15.12.2011, implemented w.e.f. 01.12.2011, vide which Clerks were granted the revised scale of Rs.10,300-34,800/- with grade of Rs.3200 plus initial pay of Rs.13,500/-, whereas similar benefit has been denied to the petitioners while working on the post of Conductors, thereby breaking the pay parity without any cogent reasons whatsoever. Learned counsel, on instructions from the petitioners, pray that a fresh representation would be submitted by relying on the judgments supporting their claim, which may be directed to be decided in a time bound manner.*

*4. Learned State counsel has no objection to the limited prayer made.*



*5. In view of the above and without commenting on the merits of the case, the petitions are hereby disposed of with a direction to the respondents that in case the petitioners submit representations within a period of 4 weeks, the same shall be considered and decided, within a further period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon.”*

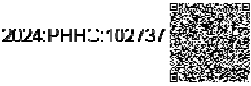
3. Learned counsel for the petitioners submits that the petitioners are similarly situated as the petitioners in the aforesaid petitions and are not claiming arrears on refixation of their pay and they have also submitted representation dated 31.07.2024 (Annexure P-14) upon the respondents and the respondents may be directed to consider and dispose of the said representation in a time-bound manner.

4. Notice of motion.

5. Ms. Saguna Arora, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3 and has no objection to the prayer made by the learned counsel for the petitioners.

6. I have heard learned counsel for the parties and have gone through the record of the case.

7. Without expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.4 is directed to consider and decide the claim made by the petitioners in representation dated 31.07.2024 (Annexure P-14) in



accordance with law, by passing a speaking order, within a period of six months from the date of receipt of certified copy of this order. In case, the petitioners are found entitled, necessary benefits be granted forthwith, without the arrears.

8. The petition stands disposed of.

09.08.2024  
R.S.

(NAMIT KUMAR)  
JUDGE

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