

CWP-13757-2016 (O&M) & -1-
CWP-7198-2017 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208 (02 cases) CWP-13757-2016 (O&M)
Date of Decision :12.12.2024

Simrita Singh and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CWP-7198-2017 (O&M)

Anu H. Gupta and another ...Petitioners

Versus

State of Punjab and others ...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. D.S. Patwalia, Senior Advocate with
Mr. Kannan Malik, Advocate and Ms. Rishu Bajaj, Advocate
for the petitioners.

Mr. Swapan Shorey, DAG, Punjab.

Mr. Amit Sharma, Advocate for
Mr. Praveen Chander Goyal, Advocate
for respondents No.2 and 3.

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Harsimran Singh Sethi, J. (Oral)

In the present petitions, grievance being raised by the
petitioners is that order dated 29.07.2016 (Annexure P/14) passed by the
respondents denying the petitioners benefit of particular pay scale is
arbitrary and illegal. Further prayer of the petitioners is for the grant of



CWP-13757-2016 (O&M) &
CWP-7198-2017 (O&M)

-2-

appropriate pay scale in terms of their entitlement.

During the course of arguments, learned senior counsel of the petitioners submits that in the impugned order, the respondents have mentioned that the issue of granting the pay scale of Rs.8000-13500/- from 01.01.1996 is also pending consideration before a Committee which has been formed for framing recruitment/promotion policy and also for prescribing the pay scale.

Learned Senior counsel of the petitioners submits that nothing has come on record as to what are the recommendations of the said committee so that in case, committee has accepted the claim of the petitioners, the respondents are only needed to implement the same.

Learned counsel for the respondents submits that though, a particular Committee was formed for the purpose of framing the recruitment/promotion policy and also to prescribe the pay scale to a particular post but the said committee was disbanded and fresh committee was formulated in the year 2021 whose report is also awaited and hence, as and when report will come, appropriate decision qua the claim raised by the petitioners will be decided.

Learned Senior counsel of the petitioners submits that the committee cannot take 04 years to make recommendations as the petitioners are serving and hence, the petitioners will be satisfied at this stage, in case, a direction is issued to the committee to finalize issue of framing recruitment/promotion policy and also with regard to prescribing a pay scale to a particular post in question in a time bound manner so that petitioners do not suffer further prejudice.

CWP-13757-2016 (O&M) &
CWP-7198-2017 (O&M)

-3-

Learned counsel for the respondents raises no objection for giving time frame to the Committee to conclude the process entrusted to it.

Keeping in view the fact the matter is pending for the last 08 years, the Committee is directed to finalize its recommendations within a period of 04 months from the date of receipt of copy of this order. The recommendations when received by the respondents, will be looked into and appropriate decision be taken qua the grant of benefit to the petitioners who are claiming a particular pay scale on the post on which they are working.

It may be noticed that the Committee will decide as per their own opinion without being influenced by the impugned order especially when, the respondents themselves have stated that the recommendations of the Committee will be looked into by them.

Present petitions are disposed of in above terms.

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

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

December 12, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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