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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA-502-2015 (O&M)

Date of Decision: 01.04.2024

The State of Punjab and another

. . . . Appellants

Vs.

Phuman Singh and others

. . . . Respondents

CORAM: HON’BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON’BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Arjun Sheoran, DAG, Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. Learned counsel for the State fairly concedes that the law has now been settled by the Supreme Court in the case of *State of Punjab and others vs. Jagjit Singh and others, reported in 2016(4) S.C.T. 641*, and the present case has to be covered by the said judgment, as the judgment in *State of Punjab and others vs. Rajinder Kumar and others* cited by the learned Single Judge in the impugned order was also a subject matter before the Supreme Court in Civil Appeal No.222 of 2013 which was commonly decided by the Supreme Court in the case of *Jagjit Singh and others* (supra).
2. Having noticed the submissions as above, we accordingly dispose of this appeal and hold that the impugned judgment dated 26.04.2014 passed in CWP No.17396 of 2008 would now be governed by the judgment passed by the Supreme Court in *Jagjit Singh and others* (supra), wherein the Supreme Court has held as under:

“52. In view of all our above conclusions, the decision rendered by the full bench of the High Court in *Avtar Singh v. State of Punjab & Ors. (CWP no. 14796 of 2003)*, dated 11.11.2011, is liable to be set aside, and the same is hereby set

aside. The decision rendered by the division bench of the High Court in State of Punjab & Ors. v. Rajinder Singh & Ors. (2009(4) S.C.T. 88: LPA no. 337 of 2003, decided on 7.1.2009) is also liable to be set aside, and the same is also hereby set aside. We affirm the decision rendered in State of Punjab & Ors. v. Rajinder Kumar (LPA no. 1024 of 2009, decided on 30.8.2010), with the modification, that the concerned employees would be entitled to the minimum of the pay-scale, of the category to which they belong, but would not be entitled to allowances attached to the posts held by them.”

- 3. LPA stands disposed of accordingly.
- 4. All pending applications also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

April 01, 2024
Mohit goyal

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |