CWP-29312-2019

2024:PHHC:105821-DB

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-29312-2019
Date of Decision: August 14, 2024

UNION OF INDIA AND OTHERS ..... Petitioners

Versus

CENTRAL ADMINISTRATIVE TRIBUNAL AND OTHERS
..... Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Ashish Rawal, Advocate for the petitioners.

Mr. Shreesh Kakkar, Advocate for
Mr. Kapil Kakkar, Advocate for respondent No. 1.

Mr. Rohit Seth, Advocate for respondents No. 2 to 7.

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LISA GILL, J.

1. Prayer in this writ petition is for setting aside order dated 02.05.2019 passed by learned Central Administrative Tribunal, Chandigarh bench whereby OA No. 60/976/2017 filed by respondents No. 2 to 7 (applicants before learned Tribunal) was allowed. Applicants had filed OA seeking stepping up of their pay at par with their juniors.

2. Learned Tribunal on considering facts and circumstances directed that benefit of stepping up of pay at par with juniors of applicants should be afforded within a period of 45 days so as to remove any anomaly. Arrears were directed to be restricted to three years from the date of filing of this writ petition.

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3. Learned counsel for respondents No. 2 to 7 submits that OA filed by identically situated employees had been allowed by learned Tribunal, Delhi Bench on 03.08.2023. Petitioner – Union of India and others filed Writ Petition (C) No. 2925 of 2024 challenging said order dated 03.08.2023. Said writ petition was dismissed by learned Delhi High Court vide order dated 28.02.2024 while placing reliance on judgment of Hon'ble the Supreme Court in **Amresh Kumar Singh and others vs. State of Bihar and others 2023 SCC Online SC 496**. Said orders, it is submitted, have been duly implemented by petitioners, therefore, present writ petition involving an identical issue should be dismissed.

4. Learned counsel for petitioners candidly concedes to the same and is unable to draw any distinction between the case of respondents No. 2 to 7 and employees whose claim has been accepted and implemented by petitioners pursuant to orders dated 03.08.2023 and 28.02.2024 passed by learned Tribunal, Delhi Bench and High Court of Delhi, respectively.

5. Accordingly, order dated 02.05.2019 passed by learned Tribunal is upheld and this writ petition is dismissed. Necessary action in terms of order dated 02.05.2019 be taken within a period of forty five (45) days.

(LISA GILL)
JUDGE

(SUKHVINDER KAUR)
JUDGE

August 14, 2024
Rts

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

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