

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CWP-17592-2015 (O&M)
Date of decision: 23.04.2024

Pardeep Kumar and Others

Versus

State of Punjab and Others

....Petitioners

...Respondents

Prince and Others

Versus

State of Punjab and Others

CWP-22033-2020 (O&M)

....Petitioners

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Kshitij Sharma, Advocate
for the petitioners in CWP-17592-2015

Mr. Rohiteshwar Singh, Advocate
for the petitioners in CWP-22033-2020

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J. (ORAL)

1. These cases involve similar issues and therefore, are being disposed of together by this common judgment.
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.

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

(AMAN CHAUDHARY)
JUDGE

23.04.2024

M.Kamra

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No