

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

101

CM-4806-LPA-2024 in
LPA-335-2024 (O&M)
Date of Decision: 05.09.2024.

Nagar Council, Dera Bassi

...Appellant.

Versus

Labh Singh and others

....Respondents.

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

Present: Mr. J.S. Toor, Advocate for the appellant.

Mr. Nitesh Singla, Advocate
for respondents No.1 to 3.

Mr. R.S. Pandher, Sr. DAG, Punjab.

LISA GILL, J. (Oral)

CM-4806-LPA-2024

Prayer in the application is for preponment of hearing of the
appeal.

At request and with consent of learned counsel for parties,
hearing of this appeal is preponed from 07.11.2024 for today i.e. 05.09.2024
and the appeal is taken on board today itself for hearing.

Application is disposed of accordingly.

LPA-335-2024

1. Prayer in this appeal is for setting aside order dated 02.03.2023
passed by learned Single Bench whereby CWP-4454-2017 filed by
respondents / writ petitioners was allowed.

2. The petitioners, who were serving as Junior Assistants, had
sought protection of their pay scale as on 01.01.1996.

3. Learned Single Bench while relying upon order dated

16.05.2012 in CWP-22422-2010 upheld in LPA-1729-2012 decided on 05.02.2014, allowed writ petition. Petitioners were held entitled for revised pay scale and respondents were directed to consider their claim for grant of revised pay scale of Rs.5000-8100 with all consequential benefits within a period of three months.

4. Learned counsel for appellant and respondents/ writ petitioners submit that a consensus has been arrived at between the parties that writ petitioners would restrict their claim to the benefit afforded to them, for a period of three years prior to filing of the earlier writ petition i.e. CWP-16560-2016 and would not claim any arrear beyond that. Appellant, it is stated would be satisfied if the relief as granted by learned Single Bench is restricted as above. The amount in question shall be released within next two weeks.

5. Learned counsel for respondents No.1 to 3 (on advance notice), present in Court, on instructions from respondents No.1 to 3, reiterates the stand of respondents as above while submitting that specific instructions from the other two respondents have been received.

6. Appeal is accordingly disposed of in view of the consensus arrived at as above between the parties. Impugned order dated 02.03.2023 is thus modified in the same terms.

7. Pending application(s), if any, shall also stands disposed of.

(LISA GILL)
JUDGE

(SUKHVINDER KAUR)
JUDGE

05.09.2024.

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