



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

275

CWP-11338-2024 (O&M)

Date of decision: 21.04.2025

Balwinder Singh and Others

....Petitioners

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Kapil Kakkar, Advocate for the petitioners

Mr. Arun Gupta, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the order dated 06.02.2024, declining the claim of the petitioners for grant of minimum pay scale from the date of their initial appointment on contract basis.

2. Learned counsel submits that the solitary reason for denying the relief in the speaking order is that the judgment in the case of **Harvinder Singh and Others vs. State of Punjab and Others**, CWP-2031-2016 was not generalized, against even the LPA-29-2021 stands dismissed. He on instructions states that the petitioners are also ready for their arrears be restricted to 38 months as had been in the above case, which squarely covers their claim, which learned State counsel despite best efforts has been unable to controvert regards the factual position and draw out any distinctive aspects in the aforementioned judgment or cite any contrary law.

3. Based on the aforesaid, CWP-12583-2020 titled as **Baljinder Kumar and Others vs. State of Punjab and Another** was also disposed of on 07.02.2024. Relevant paras whereof read thus:



“ 9. Indubitably, the petitioners, who were appointed through a regular process of selection as per statutory rules against sanctioned posts as Master/Mistresses, albeit on contractual basis and on a consolidated salary of Rs.6000/- per month, in pursuance to the terms and conditions of the advertisement dated 09.09.2012, which they had accepted and discharged their duties akin to those appointed on regular basis. Terming their appointment as contractual, was infact a misnomer. The incorporation of an exploitory condition in the appointment letter of the petitioners and the act of constraining them to knock the doors of the Court, even when the issue has been settled by Hon’ble the Supreme Court in **Jagjit Singh** (supra), is deprecated. As a sequitur, they are held entitled to the minimum of the pay scale.

10. On a cumulative consideration of the facts and circumstances of the case, while keeping the judgments referred to above in mind, the writ petition deserves to be and is hereby allowed in terms of the judgment in **Harwinder Singh** (supra). The necessary relief be granted within a period of six weeks from the date when a web-print of this judgement is received by the Department.

4. In view of the above, the petition is disposed of in terms of **Baljinder Kumar** (supra).

(AMAN CHAUDHARY)
JUDGE

21.04.2025
M.Kamra

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