



CWP-16795-2020 and
CWP-18267-2020

1

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

239-2 cases

CWP-16795-2020

Date of decision: 09.01.2025

Rajinder Kumar and another

....Petitioners

Versus

State of Punjab and others

...Respondents

CWP-18267-2020

Satish Kumar and others

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. R.K. Arya, Advocate
for the petitioners.

Mr. Amarpreet Singh Bains, AAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. These cases involve similar issues and therefore, are being disposed of together by this common judgment, for the sake of convenience the facts are derived from CWP-16795-2020.

2. The prayer made in the present petition is for directing the respondents to rectify the anomaly in the pay scale of the petitioners viz-a-viz the Photostat Machine Operator, Clerks and Restorers working in the establishment of the Civil Secretariat, Chandigarh and pay the arrears of revised pay + conveyance allowance alongwith w.e.f. 01.12.2011. The petitioners are working as Class-III employees on the post of Paint and Cycle Mechanic and the said posts are equivalent to the cadre of Photostat Machine



CWP-16795-2020 and
CWP-18267-2020

Operator, Clerks and Restorers and all these posts are fall under the Group-C category.

3. This Court while disposing of CWP-7078-2021, **Jatinder Singh and others vs. State of Punjab and others**, on 02.05.2024, had relied upon **Gurbir Singh and others vs. Punjab and Haryana High Court and another**, CWP-488-2015, decided on 16.01.2015, wherein Restorers of this Court were allowed the revision of pay scales restoring the status quo ante as on 01.01.2006 and the monetary benefits including difference of arrears of pay accruing there from be calculated and paid to the petitioners and non-party holders within two months from the date of receipt of a certified copy of the order. Thereafter, this Court in the case of **Anuj Kumar Sharma and another vs. State of Punjab** and connected petitions, CWP-18466-2014, decided on 26.04.2017, Annexure P-3, which was preferred by the Restorers working in the Civil Secretariat, Punjab, disposed of in terms of the judgment referred in Gurbir Singh (supra), the relevant para thereof reads thus:-

“11. Let this matter be considered by the Finance Department/or the Pay Anomaly Committee in its true perspective within a period of four months on receipt of a certified copy of this order. Needless to say in case the claim of the petitioners is being rejected, a speaking order be passed in this regard, which the petitioners would be at liberty to challenge. In case claim of the petitioners has merit, the monetary benefits including difference of arrears of pay accruing there from be calculated and paid to the petitioners within 2 months thereafter.”

4. Based on the aforesaid decision, this Court in **Kanta Kumari and others vs. State of Punjab and others** and connected petitions, CWP-4456-2016, decided on 24.05.2018, disposed of the case in terms of **Anuj Kumar Sharma** (supra).



CWP-16795-2020 and
CWP-18267-2020

3

5. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to take a decision, keeping in view the aforesaid judgments, within a period of four 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 petitioners shall be free to seek legal redress thereupon.

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

(AMAN CHAUDHARY)
JUDGE

09.01.2025
Hemant

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