



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

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CWP-4062-2018 (O&M)

Date of decision: 08.01.2025

Harbans Lal and Another

....Petitioners

Versus

State of Punjab and Others

...Respondents

CWP-7199-2019 (O&M)

Jagjit Singh and Others

....Petitioners

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Marinal Sharma, Advocate for
Mr. P.S. Khurana, 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-4062-2018.
2. The prayer made in the present petition is for the grant of proficiency step-up benefits along with interest at the rate of 12% per annum, as granted to other similarly situated employees.
3. The petitioners, having been appointed through the Employment Exchange following proper procedures, were employed as PR Chowkidars in the office of respondent No.3. Upon completing 8 and 18 years of service, they received proficiency step-up increments, which were subsequently discontinued through an order dated 16.01.2002, which was successfully challenged by them by filing CWP-2719-2012, the implementation whereof was delayed by the



respondents by citing the pendency of a similar case, it being RSA-1605-2011, filed by the respondent-State, which came to be dismissed and so was the SLP(C)-16231-2016, wherein it was concluded that the proficiency step up was granted along with an interest at the rate of 12% per annum. In consequence of the same, the Director of Food, Civil Supplies and Consumer Affairs, Punjab issued an order dated 20.02.2017, extending the same benefits to other temporary chowkidars, including the petitioners, following which, they have sought the implementation of the interest as granted to the others on their benefits. When their requests went unheeded, they approached the Court, which directed the authorities to consider their representation. However, the authorities ultimately rejected their claim by passing the impugned order stating that the benefit granted in RSA-1605-2011 was a personal measure and its extension would impose an additional financial burden on the state.

4. Once after rendering of the decision in case of another employee by this Court and based thereon, the respondents having accepted the claim qua similarly circumstances by generalising the same, ought to have been with regard to the interest component as well, which naturally would flow therefrom and discrimination and distinction drawn does not hold any water as per law laid down by Hon'ble the Supreme Court in **State of Uttar Pradesh & Ors. vs. Arvind Kumar Srivastava & Ors.**¹

5. Any artificial disparity among similarly situated employees is not permissible even on grounds of economic hardship or administrative convenience, on the touchstone of Articles 14 and 16 of the Constitution and the benefit granted to one set of employees based on a judicial pronouncement, the same must be



extended to all similarly situated employees to maintain parity and avoid multiplicity of litigation as held in **Satbir Singh vs. State of Haryana**².

6. Taking stock of the totality of facts and legal position enunciated herein above and as a fallout thereof, the present petitions stand allowed.

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

(AMAN CHAUDHARY)
JUDGE

08.01.2025
M.Kamra

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