



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

114

COCP-3643-2025**Date of Decision: 10.09.2025**

Prem Singh and others

.....Petitioners

Vs.

Alok Shekhar IAS and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Raj Kumar Arya, Advocate
for the petitioners.

Mr. Animesh Sharma, Addl.A.G. Punjab

SUDEEPTI SHARMA J. (Oral)

1. The present contempt petition has been filed for willful and deliberate disobedience of order dated 20.02.2025, passed by this Court in CWP-27888-2023.

2. The relevant portion of order dated 20.02.2025, passed by this Court in CWP-27888-2023 is reproduced as under:-

“3. Learned counsel states that claim of the petitioners is only qua 5th pay commission not regarding the 6th, to which an objection has been raised in the written statement. Relevant paras of Anuj Kumar Sharma (supra) read thus:

“8. In the case in hand, learned counsel for the respondents is not in a position to dispute that till 15.12.2011 the pay scale of Constables, Clerks, Photostat Machine Operators and Telephone Attendants was the same, that is in the scale of '5910-20200. In Gurbir Singh's case (supra), the Restorers of this Court filed a writ petition seeking restoration of equation in pay scale between Restorers and Clerks, which writ petition came



to be allowed by issuing a direction to restore the status quo ante as on 01.01.2006 where the Restorers and Clerks were in the same pay band and grade pay. These orders came to be passed by the Single Bench of this Court by taking note that the Hon'ble Committee of this court had recommended the removal of the anomaly which stood approved by the Hon'ble the Chief Justice in exercise of powers vested in him under Article 229 of the Constitution of India. Therefore, by virtue of judgment rendered in Gurbirs Singh's case Restorers have been held to be entitled to a pay band of '10300-34800 with grade pay of 3200/-. The Telephone Attendants being a promotional post would also in all probability be entitled to similar scale if not an enhanced one.

9. The Finance Department by Instructions dated 23.05.2012 has issued a direction that 'only those proposals for revision of pay scale of employees is to be submitted to finance Department in which the anomaly has arisen as a consequence of re-revision of pay scale of a post on the recommendations of the Cabinet Sub-Committee whereby the pay scale of promotional post has become lower than the pay scale of the feeder post'. The instant case is a fit case to be placed before the Finance Department or before the Pay Anomaly Committee for consideration of removal of the pay anomaly that has been created. The petitioners herein are Telephone Attendants who were in the same pay scale as Clerks, Constables, Photostat Machine Operators etc. A post of a Clerk can be filled up by promotion from Restorers who has the necessary qualification and at serial No. 19 the only source of recruitment to the post of Telephones Attendant is by promotion from the post of Restorers. Therefore, a person being promoted to a higher post cannot under any circumstances be in a lower pay scale.



10. In view of the above situation, where an anomaly has arisen in the pay scale of the petitioners being higher in post than the Restorers, while getting a lower pay scale, it is directed that this matter be placed before the Finance Department in view of their own Instructions dated 23.05.2012 for consideration of removal of pay anomaly of the petitioners herein while keeping the judgment rendered in Gurbir Singh's case (supra) in mind where Restorers pay scale has been brought on par with Clerks.

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. Learned State counsel despite best efforts has been unable to controvert regards the factual position and draw out any distinctive aspects in the aforementioned judgments or cite any contrary law.

5. The petitions are disposed of in terms of Anuj Kumar Sharma (supra)."

3. In compliance of order dated 20.02.2025, passed by this Court in CWP-27888-2023, the respondents have already passed speaking order dated 06.06.2025, which is placed on record with the present petition as Annexure P-9.



4. Despite the fact that the order has already been complied with, still the petitioners have filed the present petition for disobedience of order dated 20.02.2025, passed by this Court in CWP-27888-2023.

5. This Court in COCP-3579-2025 decided on 24.07.2025 titled as ***“Payal Chaudhary Vs. KAP Singh IAS and others”*** has categorically held that such kind of petitions are gross abuse of the judicial process and contributes significantly to the burgeoning pendency of cases before this Court. The tendency of litigants to misuse the judicial forum by engaging in forum shopping, filing repetitive and meritless petitions, and adopting dilatory tactics undermines the very foundation of our legal system and clogs the administration of justice.

6. In the light of foregoing, and with the objective of sending a strong deterrent message, this Court finds it appropriate to impose cost of Rs.5,000/-.

7. Accordingly, the contempt petition is dismissed with cost of Rs.5,000/- (Rupees five thousand only). The said amount shall be deposited by the petitioner with the treasurer of Punjab Chief Minister Relief Fund, Account No.001934001000589, IFSC Code: TPSC0000019, Punjab Civil Secretariat 1 Branch.

8. In the event of default in compliance, the amount shall be recovered from the petitioner as arrears of land revenue by the competent authority.

September 10th, 2025

Sahil

(SUDEEPTI SHARMA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No