



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(1) LPA No.2417 of 2024 (O&M)
Date of Decision: 15.01.2025

Punjabi University, PatialaAppellant.
Versus
State of Punjab and othersRespondents.

(2) LPA No.2471 of 2024 (O&M)
Punjabi University, PatialaAppellant.
Versus
State of Punjab and othersRespondents.

(3) LPA No.2911 of 2024 (O&M)
Punjabi University, PatialaAppellant.
Versus
State of Punjab and othersRespondents.

(4) LPA No.2419 of 2024 (O&M)
Punjabi University, PatialaAppellant.
Versus
State of Punjab and othersRespondents.



(5) **LPA No.2427 of 2024 (O&M)**
Punjabi University, PatialaAppellant.
Versus
State of Punjab and othersRespondents.

(6) **LPA No.2429 of 2024 (O&M)**
Punjabi University, PatialaAppellant.
Versus
State of Punjab and othersRespondents.

(7) **LPA No.2541 of 2024 (O&M)**
Punjabi University, PatialaAppellant.
Versus
State of Punjab and othersRespondents.

CORAM: ***HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Mr. Harchand Singh Batth, Advocate
for the appellant in all the cases.

Mr. Shekhar Verma, Addl. A.G, Punjab.

Mr. Ranjit Singh Kalra, Advocate
for respondents No.4, 8 to 11, 14, 17 to 19, 21 to 27, 30,
31, 32, 34, 38, 45, 48, 58, 61, 65, 67, 69, 70, 71, 74, 75,
76, 82, 87, 89, 90, 91, 95, 99, 103, 106 and 109
in LPA No.2417 of 2024;

for respondents No.4, 5, 23, 24, 32, 34, 41, 42, 43, 50, 52,
55, 56, 57, 59, 63, 76, 84, 86, 89, 90, 91, 95, 96, 102, 103,
108, 119, 127, 132, 133, 153, 156, 160, 167, 171, 172,
174, 179, 182, 185, 187, 188, 189,191 to 194, 198, 202,
203, 207, 210, 216, 232, 233, 237, 239, 240, 243, 248,
253, 254, 255, 260, 264, 265 and 272
in LPA No.2471 of 2024;



for respondents No.4, 20, 25, 28, 30, 31, 336, 37, 40, 41,
42, 44, 45, 46, 48, 50, 51, 65 and 74
in LPA No.2427 of 2024;

for respondents No.4, 9, 14, 20, 29, 31, 33, 44, 47, 53, 56,
71, 72, 78, 95, 98, 102, 113, 115, 118, 120, 123, 127 to 130,
132 to 136 and 142
in LPA No.2429 of 2024;

for respondents No.4 to 11, 13 to 16, 21, 22, 24 to 29,
31, 33 to 37, 39, 40, 41, 44 and 46 to 49
in LPA No.2541 of 2024.

Mr. Sanjeev Kumar Banga, Advocate
for respondent No.3 in LPA No.2911 of 2024.

SANJEEV PRAKASH SHARMA, J.(Oral)

This order shall dispose of the afore-said seven appeals filed
by the appellant-University against the judgment dated 16.05.2024 passed
by the learned Single Judge in a bunch matter having lead case ***CWP
No.1329 of 2020*** titled as ***Balvir Singh Garcha Versus State of Punjab
and others.***

2. All these seven appeals have been preferred by the appellant-
University after a period of limitation of 90 days. The case set up by the
writ petitioners before the Court was that respondents No.1 and 2-State
Government had threatened the University vide their letters dated
26.08.2019 and 27.12.2019 to withdraw the Secretariat Pay from the
employees of the University or to face suitable cut in the grant-in-aid in the
revised estimate and budget estimate of 2020-21 on the ground that the
State Government never equated the employees of the University at par
with the employees of the Punjab Civil Secretariat.



3. This Court had asked the respondent-State counsel to inform as to whether there had been any cut in the grant-in-aid and as per instructions, he states that there has been no cut in the grant-in-aid of the revised estimate of 2019-20 or 2020-21 or thereafter of the University.

4. Learned counsel for the appellant-University has not been able to satisfy as to why the appeal has been preferred as he himself states that the University did not take any steps to withdraw the Secretariat Pay from the employees at that stage and there was, therefore, no occasion for the respondents to have filed the LPAs before this Court. However, he submits that the University is of the view that decision taken by Syndicate was wrong. He also submits that the delay in filing the appeals is procedural. He further submits that the Syndicate's decision dated 11.12.2001 and 18.03.2006 whereby the University employees, who were in common category of posts, had been granted the Grade as per the Punjab Civil Secretariat employees was wrongful. The decision was contrary to the statutes and the learned Single Judge has erred in allowing the writ petitions.

5. We find that the learned Single Judge has made the following observations in para No.15 of the impugned judgment:-

“15. Admittedly, the Syndicate of the University on recommendation of Finance Committee, vide its resolution/decision dated 18.12.1979 resolved that the University employees in respect of common categories of posts will get the grades as per the Punjab Civil



Secretariat employees and respondents No. 1 & 2 were members of the Finance Committee. Thereafter, the Syndicate vide its decision dated 11.12.2001 and 18.03.2006 again reiterated that the University employees in respect of common categories of posts will get the grades as per the Punjab Civil Secretariat employees. For the last more than 44 years, the employees of the University are drawing pay scales/grade pay/allowances at par with their counterparts in the Punjab Civil Secretariat with the knowledge and recommendation of respondents No.1 & 2. However, respondents No.1 & 2 despite having no jurisdiction to interfere in the day to day affairs of the University, vide impugned letters dated 26.08.2019 and 27.12.2019 have asked the University either to withdraw the Secretariat Pay from the employees of the University or to face suitable cut in the Grant-in-aid in the Revised Estimate 2019-20 and Budget estimate 2020-21 on the ground that the State Government never equated the employees of the University at par with the employees of Punjab Civil Secretariat.”

6. We find that the learned Single Judge has taken into consideration the judgment passed by the Division Bench of this Court in ***Sardari Lal and others Versus State of Punjab and others, 1996(3) S.C.T. 17*** upheld by the Hon’ble Supreme Court in ***State of Punjab and another***



Versus Sardari Lal and others, 2003(10) SCC 253 whereby it has been observed that the Syndicate has the power to make new Statute as also to amend or repeal the existing Statutes. The Syndicate being an Executive Body of the University, has vide its resolution dated 18.12.1979 resolved that the University employees would be entitled to the Grades as per the Punjab Civil Secretariat employees on the posts which have the common categories as that of the Punjab Civil Secretariat. The said Syndicate's resolution was reiterated on 11.12.2001 and 18.03.2006. We agree with the learned Single Judge that there was no occasion to revise the Syndicate decision and it is only at the behest of the State authority's directions that the University has now come in appeal keeping in line with the directions of the State authorities. We also find that the State has not challenged the order passed by the learned Single Judge. In view thereto and considering that the decision of the learned Single Judge is based on the view taken by the Division Bench of this Court earlier in ***Sardari Lal and others' case (supra)*** and that the decision of 1979 is continuing to operate for more than 44 years, there was no occasion to change the same and treat the said decision to be illegal. Hence, no interference is warranted.

7. While the learned Single Judge has taken into consideration the resolution of the Syndicate in the case of Guru Nanak Dev University, Amritsar and the lead case of Guru Nanak Dev University, Amritsar had been taken into consideration but we need not disturb the judgment of the learned Single Judge on this count as similar decisions were taken by the Syndicate of the Punjabi University, Patiala as well as the other



Universities. We have also noticed that apart from the Punjabi University, Patiala, no other University has challenged the order of the learned Single Judge. On that account too, no interference is warranted.

8. The appeals are, accordingly, dismissed on merits as well as on the delay and laches.

9. All pending applications also stand disposed of.

**(SANJEEV PRAKASH SHARMA)
JUDGE**

**(MEENAKSHI I. MEHTA)
JUDGE**

January 15, 2025
Yag Dutt

Whether speaking/reasoned: Yes
Whether Reportable: Yes