



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

123

CWP-7482-2026 (O&M)
Date of decision: 12.03.2026

Hunney Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Ramandeep Kaur, Advocate
for the petitioners.

Mr. Vikas Arora, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to grant the statutory pay scale of Rs.10900-34800 + 3400 GP to the petitioners as per The Punjab State Electricity Board Ministerial Services Grade-III Rules, 1985 (Annexure P-4) read with The Revised Pay Scale Rules, 2009 (Annexure P-5) read with Finance Circular No.24 of 2021 (Annexure P-10) and further to revise the from entry into service along with arrears and interest @ 12% thereon. Further prayer has been made to direct the respondents to take into account the statutory pay scale as per The Punjab State Electricity Board Ministerial Services Grade-III Rules, 1985 (Annexure P-4) read with The Revised Pay Scale Rules, 2009 (Annexure P-5). Further a writ of certiorari has been sought, for quashing the Instructions dated



17.07.2020 along with further amendment made in Rules in consonance with Instructions dated 17.07.2020 (Annexure P-3).

2. Learned counsel for the petitioners, *inter alia*, contends that the respondents have applied the executive Instructions in place of statutory service rules, which is impermissible in law. He has relied upon the binding judgment of this Court passed in **CWP-15896-2023**, titled as ***Saurabh Sharma and others vs State of Punjab and another***, decided on **13.09.2024**, whereby it has been categorically held that where statutory rules prescribe the pay scale of a post, such rules have overriding effect and cannot be superseded by executive instructions or circulars. The decision taken by the Single Bench of this Court in ***Saurabh Sharma's case (supra)***, was upheld by the Division Bench of this Court in **LPA-2977-2024** titled as ***State of Punjab and another vs. Dr. Saurabh Sharma and others***. He further submits that similarly situated employees had also filed **CWP-28550-2025**, titled as ***Lakhvir Singh and others vs State of Punjab and others***, and **CWP-29326-2026**, titled as ***Rupinder Kumar and others vs State of Punjab and others*** and connected cases, which have already been allowed.

3. Learned counsel for the petitioners, at this stage, submits that he would be satisfied if the representation dated 13.02.2026 (Annexure P-7) of the petitioners is decided by respondent No.4 by passing a speaking order in a time bound manner.

4. Notice of motion to respondent No.1, only.



5. Mr. Vikas Arora, DAG, Punjab, who is present in the Court accepts notice on behalf of the respondent – State and submits that he has no objection, in case a direction is issued to respondent No.4 for time-bound consideration and decision of the representation dated 13.02.2026 (Annexure P-7) filed by the petitioners by passing a speaking order.

6. In view of the limited prayer made by learned counsel for the petitioners, the present petition is disposed of without issuing notice to respondents No.2 to 4. Accordingly, respondent No.4 is directed to consider the representation dated 13.02.2026 (Annexure P-7) of the petitioners and pass a speaking order in the light of *Lakhvir Singh's case (supra)* and *Rupinder Kumar's case (supra)*, after affording an opportunity of hearing to the petitioners, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioners. Needless to say, if the petitioners are found entitled to the relief sought, the same shall be granted forthwith by respondent No.4.

(HARPREET SINGH BRAR)
JUDGE

12.03.2026
yakub

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