

**LPA-896-2026 (O&M)****-1-****IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****(151)****LPA-896-2026 (O&M)
Date of decision:- 06.04.2026****The Municipal Corporation, Ludhiana****... Appellant****Versus****Satpal Singh and others****... Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Mr. Parambir Singh, Advocate and
Ms. Prabhpreet Kaur, Advocate
for the appellant.

**********SUVIR SEHGAL, J. (ORAL)****CM-2243-LPA-2026**

1. This application has been filed for condonation of delay of 33 days in filing of the Letters Patent Appeal.
2. Application is supported with an affidavit of Commissioner, Municipal Corporation, Ludhiana, stating that the delay has been occurred as the appellant was in the process of taking a decision and getting necessary approval for filing of appeal.
3. This Court is satisfied with the explanation given by the appellant, which is accepted.
4. Accordingly, application is allowed. Delay of 33 days in the filing of the appeal is condoned.



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Main case

5. Present Letters Patent Appeal has been preferred by the appellant-Municipal Corporation, Ludhiana challenging the judgment, dated 14.01.2026, passed by the learned Single Judge, whereby writ petition filed by the respondents No.1 to 8/writ petitioners has been allowed. Learned Single Judge set aside the speaking order, dated 28.10.2025, Annexure P-2, and directed the appellant to grant the benefit of pay protection and remove the pay anomaly. Revised pay scale of Rs.5000-8100 has been granted to writ petitioners, w.e.f. 01.01.1996, in terms of the judgment rendered in **Anil Kumar and others Versus State of Punjab and others** (CWP-22422-2010, decided on 16.05.2012).

6. Writ petitioners were initially appointed as Clerks and were promoted as Junior Assistants. Their grievance was that they were a part of the common cadre, governed by same service rules and seniority, but they were granted a lower pay scale of Rs.4400-7000, whereas similarly situated employees, who were designated as Junior Assistants prior to 01.01.1996, were granted a higher pay scale of Rs.5000-8100. The anomaly arose on account of the First Amendment to the Punjab Civil Services (Revised Pay) Rules, 1998, which introduced a cut of date of 01.01.1996. Learned Single Judge allowed the writ petition primarily on the ground that the controversy stood adjudicated by this Court in **Anil Kumar's** case (*supra*), wherein cut off date and resulting pay anomaly had been examined. Relying upon the judgment in **Anil Kumar's** case (*supra*), learned Single Bench held that the writ petitioners are entitled to pay protection and revised pay scale of Rs.5000-8100, w.e.f. 01.01.1996.



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7. Counsel for the appellant has contended that the writ petitioners were rightly placed in the lower pay scale and the benefit of higher pay scale was for distinct class of employees. It is his contention that the learned Single Judge has erred in extending the benefit to the writ petitioners without appreciating the factual distinction. Counsel has placed reliance upon the judgment of the Hon'ble Supreme Court in *The State of Orissa Versus Bhagaban Mohanty (Dead) through LRs, Law Finder Doc ID #2798473*, to contend that the writ petitioners had approached this Court after a long delay and writ court has erred in granting them the benefits on the basis of the judgment rendered in *Anil Kumar's* case (*supra*).

8. We have considered the arguments addressed by counsel for the appellant.

9. After having examined the record, we are of the view that the issue raised in the writ petition is squarely covered by the judgment rendered by this Court in *Anil Kumar's* case (*supra*). The question regarding pay protection and the validity of the cut off date of 01.01.1996 has already been settled. Learned Single Judge has relied upon the judgment in *Anil Kumar's* case (*supra*) and has come to the conclusion that the writ petitioners, who were in service as on 01.01.1996, are entitled to protection of their pay and corresponding benefits. *Anil Kumar's* case (*supra*) has attained finality and has been upheld by a Division Bench as well as Hon'ble Supreme Court. Appellant has not been able to distinguish *Anil Kumar's* case (*supra*). As the issue stands conclusively settled, it cannot be re-agitated in an intra-court appeal. Incorrect fixation of pay scale is a recurring cause of action. Learned



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Single Judge has restricted the benefit to the writ petitioners to arrears upto a period of 38 months, prior to the filing of the writ petition. The judgment in Bhagaban Mohanty's case (*supra*) would not be applicable to the facts of the present case as petitioner therein had challenged the termination order after more than 18 years of its passing. Appellant cannot deserve any benefit from this judgment.

10. In view of the above, we are considered of the opinion that the judgment passed by the learned Single Judge does not suffer from any infirmity, warranting interference by this Court.

11. Appeal being devoid of merit, it is dismissed with no order as to costs.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

06.04.2026
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No