

CWP-14235-2026

2026:PHHC:071300



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

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CWP-14235-2026
Date of Decision: **07.05.2026**

Ajit Singh and others

.....Petitioner

VERSUS

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Nitesh Singla, Advocates for the petitioners.

Mr. Amit Shukla, DAG Punjab-State.

Mr. Neeraj Sharma, Advocate for respondent No.4.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of *certiorari* for quashing the order dated 12.01.2026 (Annexure P-6) passed by respondent No.4, whereby the claim of the petitioners for grant of the pay scale of Rs.5000-8100 w.e.f. 01.01.1996, instead of Rs.4400-7000, has been wrongly, arbitrarily and illegally rejected. It is further submitted that similarly situated employees of the same

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Corporation, whose claims had also been rejected on identical grounds, approached this Court by way of **CWP-442-2026 Sat Pal Singh & others Vs. State of Punjab and others**, and the said writ petition was allowed vide judgment dated 14.01.2026 (Annexure P-7), with arrears restricted to a period of 38 months prior to the filing of the writ petition. The said judgment has further been upheld in **LPA-896-2026** by dismissal of the appeal vide judgment dated 06.04.2026 (Annexure P-8). The petitioners further pray for issuance of a writ in the nature of *mandamus* directing the respondents to grant the pay scale of Rs.5000-8100 w.e.f. 01.01.1996 instead of Rs.4400-7000, along with all consequential benefits including arrears of pay/pension and interest @12% per annum.

2. Learned counsel for the petitioners, *inter alia*, contends that the issue regarding the cut-off date and the resultant pay anomaly already stands settled by this Court in **CWP-22422-2010, Anil Kumar and others Vs. State of Punjab and others**, decided on 16.05.2012 (Annexure P-3), wherein it was categorically held that the petitioners therein, who were in service as on 01.01.1996, are entitled to protection of their pay along with all consequential benefits. It is further submitted that the judgment rendered in **Anil Kumar (supra)** has been upheld upto the level of the Hon'ble Supreme Court and, thus, the controversy involved in the present case stands conclusively settled. Learned counsel further submits that identically situated employees had also approached this Court by way of filing **CWP-442-2026, Sat Pal Singh and others Vs. State of Punjab and others**,

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decided on 14.01.2026 (Annexure P-7), which too came to be allowed in terms of the judgment rendered in *Anil Kumar (supra)*. It is further submitted that the respondent-Corporation preferred an intra-Court appeal bearing *LPA-896-2026*, which also stands dismissed while affirming the judgment passed in *Sat Pal Singh (supra)*. However, the arrears therein were restricted to a period of 38 months prior to the filing of the said writ petition.

3. *Per contra*, learned counsel for the respondents are unable to distinguish the case of the present petitioners from that of the petitioners in *Anil Kumar (supra)*. Learned counsel for the respondents also do not dispute that the controversy involved in the present writ petition is squarely covered by the judgments rendered in *Anil Kumar (supra)* and *Sat Pal Singh(supra)*. No material has been placed on record to demonstrate that the petitioners herein are differently situated either on facts or in law so as to deny them the benefit already extended to similarly situated employees. The respondents have also not been able to point out any subsequent judgment taking a view contrary to the law laid down in the aforesaid cases, which admittedly have attained finality.

4. I have heard learned counsel for the parties and have gone through the paper-book with their able assistance. It transpires that the issue involved in the present writ petition is no longer res integra. The Division Bench of this Court in *LPA-896-2026, The Municipal Corporation, Ludhiana Versus Satpal Singh and others*, decided on 06.04.2026, (Annexure P-8) held as under:-

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“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 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.”*

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5. In view of the aforesaid facts and circumstances, and without further commenting upon the merits of the case, the present writ petition is disposed of in terms of the judgments rendered in *Anil Kumar (supra)* and *Sat Pal Singh (supra)*.

6. It is, however, clarified that the petitioners shall be entitled to arrears upto the period of 38 months prior to the filing of the earlier writ petition i.e. **CWP-2374-2016** by the petitioners.

7. Pending application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

07.05.2026

Puneet Chawla

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No