



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

CWP-22751-2025 (O&M)
Date of decision: 11.02.2026

Bhinder SinghPetitioner

Versus

State of Punjab and othersRespondents

2) **CWP-29457-2025 (O&M)**

Harnek SinghPetitioner

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. G.S. Bal, Senior Advocate, with
Ms. Gurneet Kaur, Advocate,
for the petitioners.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Since learned Senior counsel for the petitioner(s) submits that a common question of law arises for consideration of this Court, both these writ petitions are amenable to be decided together. For a facility of reference, facts are being derived from **CWP-29457-2025**.

2. The petitioner, by way of instant writ petition, filed under Articles 226/227 of the Constitution of India, assails the order dated 09.01.2025 (Annexure P-8), passed by respondent No.4, whereby, grade pay of the petitioner was reduced from 2800 to 2400. Further, a prayer is also made for issuance of a Mandamus upon the respondents to restore the pay scale of Rs.5910-20200+2800 Grade Pay, w.e.f. 08.09.2015.

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3. In nutshell, since the petitioner was getting less salary than a person junior to him, namely Sh. Bhinder Singh, he had served the authorities concerned with a legal notice dated 11.03.2024 (Annexure P-7), for removal of pay anomalies, and stepping up his pay. Accordingly, upon consideration of his case, the authorities concluded that he was not entitled for the benefit of corresponding revised pay-scale of Rs.160-400 (Category-V), in terms of the recommendations of the 2nd Punjab Pay Commission, owing to the fact that he had joined services as daily wager on 01.11.1994, which were regularized w.e.f. 24.05.2011. Further, the categorization, as recommended by 2nd Punjab Pay Commission, is applicable only to the employees, who were appointed prior to 1978. In this view of the matter, the authorities concerned, instead of removing the pay anomalies, and granting the relief claimed by the petitioner, his pay was revised, which resulted in reduction of grade pay, as demonstrated above.

4. Learned Senior counsel for the petitioner(s), predominantly, predicates his submissions on one score only, that even if, the authorities concerned was of the view that grade pay of the petitioners was required to be reduced, which, in no uncertain terms, would be severely prejudicial to the rights of the petitioners, they were under legal obligation to afford a hearing or call for a response from the petitioners. But, the authorities, in an apparent violation of principles of natural justice, proceeded to decide the matter.

5. This Court has heard learned Senior counsel for the petitioners, and also the State counsel.

6. Concededly, the impugned orders suffer from infraction of principles of natural justice. Even if an opportunity is granted to the respondent-State to file a detailed reply, delineating the reasons for reduction in the grade pay of the petitioners, still the defects/inaccuracies, on the part of the authorities, on account of violation of the doctrine of *Audi Alteram Partem*, cannot be set right. In such a situation, the impugned orders, in both the writ petitions, cannot stand the test of legality, and thus, the same are **set aside**. As a consequence, the

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respondent-department is directed to re-consider the matter, and pass a speaking order, after affording due opportunity to the petitioners to putforth their stand in support of their claim.

7. With the abovesaid observations, both the writ petitions stand **disposed of**.
8. A photocopy of this order be placed on the file of connected case.

(KULDEEP TIWARI)
JUDGE

11.02.2026
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No