
(2015) 02 P&H CK 0237
In the Punjab And Haryana At Chandigarh
Case No : C.W.P. No. 3110 of 2015

Anil Minhas and Others

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 23-02-2015

Acts Referred:

Citation : (2015) 2 SCT 169 : (2015) 3 SLJ 320

Hon'ble Judges : Mahesh Grover, J.

Bench : Single Bench

Advocate : Avtar Singh Bhatti, for the Appellant

Final Decision : Disposed off

Judgement

Mahesh Grover, J.—The petitioners, who were working as JEs, claim parity of pay with their counterparts working in Soil Conservation Department. The petitioners are basing their claim on the case which has been decided by this court settling the similar controversy (CWP No. 2605 of 1998, decided on 2.7.2014). Seeking similar relief the petitioners approached the respondents by way of a legal notice which has not been decided by them so far. Ordinarily the competent authority is expected to look into such grievance and if the matter is covered by an earlier precedent which would cover all such persons placed similarly, then the competent authority is obliged to take a decision in the light of the earlier precedent of this court and not leave the process to indecisiveness which force the affected employees to come to this court resulting in sheer wastage of its time. These are matters which should be looked into by the authorities themselves. Needless to say, the competent authority would be very well within its right to distinguish the applicability of the precedents to the cause of the claimant but under no circumstances such matters can be permitted to be left to the process of indecision.

2. The respondents are thus mandated to look into the grievance of the petitioner as contained in the petition by applying the ratio of the earlier

precedent of this court and take a positive decision in this regard within a period of four weeks from the date of receipt of a certified copy of this order. The petitioners would be at liberty to supply copy of the petition to the respondents in order to enable them to appreciate the controversy, within 15 days from today.

Petition disposed of.