



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

LPA No.839 of 2025 (O&M)

Date of Decision: 21.03.2025

Director General School Education, Punjab

.....Appellant.

Versus

Prabhjot Singh and others

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Mr. G.S. Bal, Senior Advocate with
Mr. Dilshad S. Gill, Advocate
for the appellant.

SANJEEV PRAKASH SHARMA, J.(Oral)

CM No.2109-LPA of 2025

For the reasons stated in the present application, the same is allowed and the delay of 157 days in filing the appeal is condoned.

LPA No.839 of 2025

By way of the present Letters Patent Appeal, the appellant assails the order dated 21.08.2024 passed by the learned Single Judge in *CWP No.9221 of 2014* titled as '*Prabhjot Singh and others Vs. State of Punjab and another*', whereby the writ petition filed by the respondents-employees was allowed.

2. Learned Senior counsel for the appellant submits that in *CWP No.21750 of 2012* titled as '*Jeewan Jyoti and others Vs. State of Punjab*



and others', the persons therein were granted benefit from the date when they were regularized. Their date of regularization was 01.07.2011 and therefore, they were granted the said benefit. Learned Senior counsel further submits that so far as 21 employees are concerned, they were regularized from a subsequent date. He has taken us to the details of the date of regularization and the date of orders passed for regularization which reflects that some of the persons were regularized w.e.f April 2013 and some of them had also been regularized in the year 2012. In ***Jeewan Jyoti and others' case (supra)***, the Court had principally laid down that the benefits of regular pay scales have to be given from the date their services are regularized. Thus, for each individual person, the date of granting regular pay scale has to be from the date when that particular person has been regularized.

3. We find that the intention of the learned Single Judge is apparently clear in para Nos.7 and 8 of the impugned order dated 21.08.2024, which read as under:-

*"7. At this stage, learned counsel appearing on behalf of the State submits that there is a stipulation in the regularization order passed in the case of the petitioners as compared to **Jeewan Jyoti & others'** case (supra) where, it has been mentioned that the petitioners are to be given the regular pay scale after the passing of the order and not from the date their services have been regularized.*

8. It may be noticed that the similarly situated employees are to be treated similarly and their



*services cannot be regularized under different conditions. Once, 559 people have already been granted benefit, the argument being raised by the learned counsel for respondent No.2-Society that the appointment orders of the remaining petitioners are different, cannot be accepted and once, 559 petitioners have been granted the benefit as given to petitioners in **Jeewan Jyoti & others'** case (supra), the benefit to the remaining 21 employees cannot be denied.”*

4. In view of the above, the benefit to the 21 employees would be granted from the date they have been regularized and not from the date when the orders of regularization have been passed. No case is, therefore, made out to interfere with the observations made by the learned Single Judge, as above. The present appeal is, accordingly, dismissed.

5. Pending civil misc. applications also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

March 21, 2025
Yag Dutt

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No