

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

**CWP No. 21279 of 2015**  
**Date of decision: 06.10.2015**

Om Prakash

....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr. S.S. Sudan, Advocate,  
for the petitioner.

**G.S.SANDHAWALIA, J. (Oral)**

Prayer in the present writ petition is for directing the respondents to grant salary to the petitioner at the minimum of the regular pay scale + usual allowances and arrears of salary. For the said relief, reliance is placed upon the Full Bench judgment of this Court in CWP No. 14796 of 2003, Avtar Singh vs. State of Punjab and others, decided on 11.11.2011 (Annexure P-11).

The case of the petitioner is that he has been working as a daily wager in the Forest Department since 1989 in Division Hoshiarur and presently posted in Range Mahilpur. In spite of serving the Forest Department for the last 27 years, neither he has been regularized nor he has been paid the wages at the minimum rates fixed by the Government. Counsel submits that a representation dated 29.07.2015 (Annexure P-16) has also been served on respondent no. 2 for the said relief but no action has been taken on the same.

Counsel submits that he would be satisfied at this stage if a direction is issued to the said respondent to take a decision on the said

representation within a time bound frame.

Accordingly, without commenting on the merits of the case and keeping in view the limited relief sought, this Court does not feel necessary to call upon the respondents to file reply.

Accordingly, this writ petition is disposed of with a direction to respondent no. 2 to take into consideration the representation dated 29.07.2015 (Annexure P-16) and decide the same within a period of 3 months from the date of receipt of certified copy of the order. However, it is clarified that in case the petitioner is still in service, it would not be a ground to dispense with the services of the petitioner on his account having availed his legal remedy. If the petitioner is found entitled for the necessary relief, payment be made within a period of two months thereafter. Needless to say that in case the relief is to be denied, the order should contain reasons.

06.10.2015  
shivani

(G.S. SANDHAWALIA)  
JUDGE