

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 8214 of 2015

DATE OF DECISION : April 30, 2015

Suresh Kumar

..... PETITIONER(S)

VERSUS

State of Haryana & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Jagjeet Beniwal, Advocate, for the petitioner.

ARUN PALLI, J. (Oral)

A writ in the nature of mandamus is prayed for, to direct respondents No.2 and 3 to step-up the pay of the petitioner so as to afford him the equal or higher pay than respondent No.4, who despite being junior to the petitioner, is drawing a higher pay.

It is averred that the petitioner and Lekh Raj i.e. respondent No.4, were appointed as Math Instructors on 29.07.1988. The seniority list of the Instructors reflects the name of the petitioner at Sr. No.219, whereas name of respondent No.4 is shown at Sr. No.222, thus, respondent No.4 is junior to the petitioner. Despite that being so, pay slips i.e. Annexure P-2 dated 01.04.2015 and Annexure P-3 dated 07.04.2015, reveal that the Basic Pay of the petitioner is ₹17630/-, whereas the Basic

Pay of respondent No.4 is ₹18320/-. Faced with this anomaly, the petitioner purports to have represented to respondents No.1 to 3, quite a few times but to no avail. So much so, prior to the institution of this petition, respondents were even served upon a legal notice dated 15.12.2014 (Annexure P-4), but that too has failed to evoke any response.

Learned counsel for the petitioner submits that let this petition, at this stage, be disposed of with a direction to respondents No.2 and 3 to consider and decide the notice (Annexure P-4) served by the petitioner within a specified time.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondents No.2 and 3 to consider and decide the claim of the petitioner, as set out in his legal notice dated 15.12.2014 (Annexure P-4), strictly in accordance with law, within a period of three months from the date of receipt of certified copy of this order.

Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

APRIL 30, 2015
Kang

(ARUN PALLI)
JUDGE