

CWP No. 877 of 2015

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

CWP No. 877 of 2015

Date of decision : 19.01.2015

Sobhraj and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present : Mr.Vikas Chatrath, Advocate
for the petitioners.

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioners relies upon Annexures P-5 and P-6 (**Radhe Krishan Sharma Vs. State of Haryana, CWP No. 2239 of 1991, decided on 31.08.1992 & Rameshwar Kaushik Vs. State of Haryana and others, CWP No. 8058 of 2009, decided on 25.02.2010 respectively**), to submit that special pay, granted for a specific purpose, cannot be allowed to be amalgamated in any revised pay scale and would enure for the entire service tenure of an employee, and consequently would also be factored in while calculating his pension.

In respect of the relief claimed, a legal notice dated 12.11.2014 is stated to have been served upon the respondents, a copy of which is annexed with the petition as Annexure P-7, which, learned counsel submits,

has not been decided so far.

He further submits that at this stage a direction may be issued to the respondents to take a decision on the aforesaid legal notice, within a specified time frame.

This petition is, consequently, disposed of with a direction to the competent authority amongst the respondents, to take a decision on the aforesaid legal notice, within a period of 2 months from the date of receipt of a certified copy of this order, by passing a speaking order, taking into account the aforesaid judgments.

In case the petitioners are found entitled to the relief claimed, the same shall be released to them within two months thereafter.

If, however, for any **legally valid reasons**, the claim is not found due, detailed reasons for the same, be given in the speaking order to be passed.

19.01.2015

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**(AMOL RATTAN SINGH)
JUDGE**