

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP No.767 of 2016
Date of Decision:-16.11.2016

Biram Chand and another

..... Petitioners

Vs.

Sh. D.P. Reddy and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Dinesh Kumar, Advocate,
for the petitioners.

Mr.Anant Kataria, DAG, Punjab.

RAKESH KUMAR JAIN, J.

This petition is filed for the alleged disobedience of the order dated 16.9.2015. The operative part of the order dated 16.9.2015 is as under: -

“In these circumstances, this petition is disposed of with a direction to the decision-maker in the respondents to consider the case of the retrospective promotion of the petitioners from the due dates in terms of the law laid down in Daljit Singh’s case. All consequential benefits be granted notionally to the petitioners, but actual monetary benefits will remain restricted to 36 months prior to the date of filing of the writ petition. The petitioners would also be entitled to re-fixation of pay and pensionary benefits by correction of their last pay certificate. Let the needful be done within two months from

the date of receipt of a certified copy of this order.”

After notice, the respondents have filed their reply in which the following averments have been made: -

“And now therefore, Sarvshri Biram Chand, is hereby notionally promoted to the post of Senior Assistant w.e.f. 14.01.1991 in the pay scale of ₹1800-3200. He shall be entitled to revised pay scale of ₹5800-9200 w.e.f. 1.1.1996 and Shri Dharamjit Singh is hereby notionally promoted to the post of Senior Assistant w.e.f. 5th September, 1997 in the pay scale of ₹5800-9200. These officials will be allowed all consequential benefits, however, monetary benefits will remain restricted to 36 months prior to the date of filing of the writ petition. S/Shri Biram Chand and Shri Dharamjit Singh would also been entitled to re-fixation of pay and pensionary benefits by correction of their last pay certificate as per the judgment dated 16th September, 2015 in CWP No.14770 of 1999 and CM No.12487 of 2014 of Hon’ble Punjab and Haryana High Court.”

I am satisfied with the reply and do not find any merit to interfere in this petition.

Dismissed.

16.11.2016

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No