

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.18060 of 2011

Date of Decision: 19.01.2016

Bal Krishan Shingari and others

... Petitioners

Versus

The Punjab Agricultural University,
Ludhiana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Alka Chatrath, Advocate,
for the petitioners.

Mr. Deepak Agnihotri, Advocate,
for R-1.

Mr. Inqulab Nagpal, AAG, Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

1. Having heard the learned counsel for the parties at some length, it is found from the file that the view of the respondent-University on the issue raised is not on record since it has not been taken. What would be the view of the University regarding the circulars dated October 22, 2010 and December 30, 2010 read together with the original pay revision circulars dated August 17, 2009 and February 22, 2010 is not forthcoming.

2. In order to bring clarity on the dispute and the subject matter, the better course would be to first direct the University to pass an order after hearing the parties before judicial review can be entertained in exercise of

authority under Article 226 of the Constitution.

3. The complaint of Ms. Alka Chatrath is that the pension of the petitioners, who were in the pay scale of Rs.16400-22400 prior to January 01, 2006 has been revised to Rs.37400-67000 + 10000/12000 Grade Pay therefore it cannot be less than the pension of those who were in lower pay scale i.e. Rs.16350-20100 revised to Rs.37400-67000 + 8900 Grade Pay.

4. Without expressing any opinion on the merits of the case, a direction is issued to the University to treat this paper-book as a representation/supplementary representation and decide the same by passing a speaking order. In making the orders, the petitioners would be heard either personally or through their authorized representative/s duly notified to the University in advance. Keeping in view the fact that the petitioners are retirees prior to January 01, 2006 and senior citizens their case should be decided expeditiously and preferably within three months from the date of receipt of certified copy of this order. In case, the claim is found genuine then the monetary benefits of the same be handed over to the petitioners within the next two months.

5. With these observations and directions, this petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

19.01.2016
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