

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1050 of 2016

Date of Decision: 19.01.2016

Sukhwinder Singh and others

... Petitioners

Versus

Shiromani Gurdwara Parbandhak Committee

... Respondent

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

Present: Ms. Vanita Sapra Kataria, Advocate,
for the petitioners.

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

RAJIV NARAIN RAINA, J.

1. The petitioners are regular employees of the Gurdwara Nabha Sahib, Mohali. This is a Gurdwara established under section 87 of the Sikh Gurdwaras Act, 1925. Their monetary benefits are governed and administered by the SGPC.

2. The complaint in the instant petition is that they have been deprived of the right to annual and special increments since April 01, 2014 without just cause or legal justification. The petitioners have made a representation to the SGPC dated April 17, 2015 (Annexure P-5) and followed by a legal notice dated September 02, 2015 (P-6) requesting them to redress the grievance. No decision thereon has been taken or conveyed to them.

3. In the circumstances, the request of the learned counsel for the

petitioners is accepted, that is, that in the first instance the competent authority in the SGPC should be called upon to decide the representation/legal notice in accordance with law.

4. The request is fair and reasonable since the petitioners are being deprived of recurring right to arrears of money and its continued payment which they claim is due to them.

5. Without expressing any opinion on the merits of the claim, a direction is issued to the respondents to consider and decide the aforesaid representation/legal notice within two months from the date of receipt of certified copy of the order. In case, the claim of the petitioners is found genuine then there would neither be necessity to hear the petitioners nor the duty to pass speaking orders. Needless to say, that in case orders adverse to the interest of the petitioners is contemplated then they would be required to be heard and a reasoned order passed.

6. With these observations, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

19.01.2016
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