

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.10662 of 2016
Decided on : 26.05.2016

Kewal Singh

... Petitioner

Versus

Punjab State Cooperative Supply & Marketing Federation Ltd. & another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.Amit Sharma, Advocate, for the petitioner.

G.S. Sandhawalia , J. (Oral)

Petitioner seeks direction for refixation of his basic pay in consonance with the terms and conditions of the order dated 20.02.2009 (Annexure P2).

It is the case of the petitioner that he was working as Salesman with the Guru Har Sahai Cooperative Marketing Society, District Ferozepur, which had been merged with respondent No.1-Federation. In pursuance of the said merger order dated 24.12.2008 (Annexure P1), passed by respondent No.2, the petitioner's pay-scale was fixed at Rs.4020-6200 and his basic pay was fixed at Rs.4550. Thereafter, his pay was wrongly fixed on 25.04.2009 (Annexure P3) in the pay-scale of Rs.3120-5160 with basic pay of Rs.4440 in an scale lower than the one which was fixed. He had filed representations dated 03.06.2009 (Annexure P4) and 17.12.2015 (Annexure P6), for the necessary relief, for restoration of his basic pay and that the matter was pending before this Court.

Counsel submits that in similar circumstances, this Court in CWP-14036-2010 titled *Gurdial Singh Vs. Punjab State Cooperative*

Supply & Marketing Federation Ltd. (Markfed), decided on 28.03.2012 (Annexure P5) had set aside the order whereby the basic pay had been reduced. It is further pointed out that directions had also been issued to decide the representations in various cases and reliefs have been granted to the employees. Reference is made to the case of Darshana Rani widow of Late Ram Chand (Annexures P7 & P8). Counsel submits that the petitioner would be satisfied, at this stage, if a time-bound direction is given to the respondents to decide the representations dated 03.06.2009 (Annexure P4) and 17.12.2015 (Annexure P6).

Keeping in view the limited relief sought, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioner, the present writ petition is disposed of, with a direction to respondent No.1 to decide the representations dated 03.06.2009 (Annexure P4) and 17.12.2015 (Annexure P6), within a period of 3 months from the receipt of a certified copy of this order. In case the petitioner is found entitled for the said relief, the financial benefits be disbursed to him, within a period of 1 month, thereafter. In case the benefit is to be denied, a reasoned order be passed and the same be conveyed to the petitioner.

MAY 26, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE