

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 1129 of 2016
Date of decision: 20.01.2016

Krishna KapoorPetitioner(s)

Versus

State of Punjab and another ...Respondent(s)

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

Present: Mr. Sunny Singla, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks a direction for revision of pay scale w.e.f. 01.11.1971 instead of 16.07.1975 with further prayer to fix the pay scale of the petitioner whose unrevised pay falls between two stages in new time scale. The said relief is sought on the basis of the decision in ***CWP No. 2208 of 1989, Lekh Raj Khara and others vs. State of Punjab and another*** decided on 24.03.2009 (Annexure P-8).

Counsel, at the outset, submits that the petitioner had retired on 31.10.1996 and had not pursued his legal remedies and he would be satisfied if the benefit to be given is restricted only to 38 months prior to serving of demand on 05.07.2015 (Annexure P-9), which is still pending. It is further submitted that direction may be issued to Director of Public Instructions (Secondary Education), Punjab as respondent no. 2, as arrayed, has been wrongly arrayed.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the writ petition has been supplied to him in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need for the respondents to file reply.

Accordingly, without commenting on the merits of the case this writ petition is disposed of with a direction to Director, Public Instructions, Secondary Education, Punjab to decide the representation dated 05.07.2015 (Annexure P-9) within a period of 3 months from the date of receipt of certified copy of the order. It is made clear that in case any relief is to be granted, the same will be restricted to a period of 38 months from the date of representation, as submitted by the counsel for the purpose of arrears. Needless to say if the relief is to be denied, a reasoned order be passed and conveyed to the petitioner.

20.01.2016
shivani

(G.S. SANDHAWALIA)
JUDGE