

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**C.W.P. No. 17173 of 2016
Date of Decision:- 24.08.2016**

ASHWANI KUMAR BATISH

....Petitioner

VS.

STATE OF PUNJAB & ANR

....Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. P.S. Khurana, Advocate,
for the petitioner.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to grant the petitioner's salary in the higher pay-scale on the post of Sub Divisional Engineer for the period he has worked on the said post and also to grant him all consequential benefits flowing therefrom by revising his salary along with arrears of pay with interest so accruing to him.

Learned counsel for the petitioner submits that the similarly situated employees filed CWP No.11849 of 2016 which was disposed of vide order dated 9.8.2016. He further submits that the petitioner would be satisfied in case similar directions are issued by this Court to consider the case of the petitioner as were issued in CWP No. 11849 of 2016.

Learned counsel also submits that the petitioner has served a legal notice dated 25.4.2016 upon the respondents but no action has been

taken thereon so far.

In view of submissions made by learned counsel for the petitioner and without commenting anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2 to consider the claim of the petitioner, as has been made out in Legal Notice dated 25.04.2016 (Annexure P-13) as well as in this writ petition, in view of the ratio of judgment passed by this Court in the aforesaid writ petition and take necessary action in accordance with law within a period of three months from the date of receipt of certified copy of this order.

In case, the petitioner is found to be entitled to the relief as prayed for in the legal notice as well as in the writ petition, the same be granted to him within a period of two months thereafter and in case, any adverse order is passed, the petitioner is at liberty to avail the appropriate remedy in accordance with law.

Writ petition stands disposed of.

August 24, 2016
poonam

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No