

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

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**CWP-20149-2015 (O&M)
Date of decision: 31.08.2016**

Ramesh Kumar

....Petitioner

Versus

Union of India and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Rajeev Anand, Advocate for the petitioner.

Mr. Abhinav Gupta, Advocate for the respondents-UOI.

P.B. Bajanthri, J. (Oral)

CM No. 10452 of 2016

This is an application for placing on record affidavit of Darbara Singh Bains along with Annexure R-1. Heard. Allowed, as prayed for.

Affidavit and Annexure R1 are taken on record.

CM stands disposed of.

Main case.

In view of the acceptance of CM No. 10452 of 2016, the main matter may not survive for consideration since the relief sought by the petitioner has been granted w.e.f 01.12.1997. Petitioner's pay has been fixed @ Rs.3125/-.

2. Learned counsel for the petitioner submitted that earlier petitioner's pay was fixed @ Rs.3050/- w.e.f. 10.10.1997. On 10.10.1997 the same was withdrawn. On 01.10.1998, thereafter, the same was not restored.

There was internal correspondence between the petitioner and the respondents. Since the petitioner's grievance was not settled by the department therefore, he was compelled to approach this Court by presenting the present writ petition.

3. During pendency of the writ petition, the respondents have filed CM for placing on record affidavit only. It is stated that the benefit of pay fixation @ Rs.3125/- w.e.f. 01.12.1997 has been restored. However, monetary benefits have not been released pursuant to the decision taken by the respondent to refix the pay of the petitioner @ Rs.3125/- w.e.f. 01.12.1997. Therefore, the respondents are directed to release the monetary benefits on account of refixation of pay of the petitioner @ Rs.3125/- w.e.f. 01.12.1997. The petitioner is entitled for interest @ 9% per annum on the arrears of pay for the reasons that from 1998 till 2016, the petitioner has been denied the fixation of pay @ Rs.3125/- w.e.f. 01.12.1997. The arrears of pay along with interest shall be paid to the petitioner by the respondents within a period of 3 months from today.

4. This order will not come in the way of seeking any other relief by the petitioner.

5. Accordingly, petition stands disposed of.

31.08.2016

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No