

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.2529 of 2016

Date of Decision: 08.02.2016

Kuldeep Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

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

Present: Ms. Alka Chatrath, Advocate,
for the petitioner.

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

RAJIV NARAIN RAINA, J.(Oral)

The petitioner's claim is against wrong fixation of pay. He claims that pay deserves to be fixed in accordance with the order dated September 25, 2013 (P-8) by the Civil Surgeon, Patiala.

The petitioner has served a legal notice on the Department on April 26, 2015 (P-9) which has not been decided so far. Since the view of the Administrator is not known, no opinion can be expressed by this Court on the merits of the claim and I would accept the prayer of Ms. Chatrath that in the first instance, the legal notice deserves to be decided and accordingly, a direction is issued to the respondents to consider and decide the aforesaid legal notice in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner in case, it is found necessary. In case, the claim of the petitioner is genuine then neither would the necessity arise of passing a speaking order or hearing the petitioner and benefit can be granted and the position rectified on the arrears and pay

arising out of the exercise be disbursed to the petitioner within two months thereafter.

With these observations and directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

08.02.2016
manju