

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3713 of 2016
Decided on : 25.02.2016

Om Parkash

... 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)

The petitioner seeks a direction for refixation of his basic pay, in consonance with the terms and conditions of the merger order dated 24.12.2008 (Annexure P1), passed by respondent No.2.

It is the case of the petitioner that he was working with the Guru Harsahai Cooperative Marketing Society Ltd., District Ferozepur, which was merged with respondent No.1-Federation. In pursuance of the said merger, respondent No.1 passed the order dated 20.02.2009 (Annexure P2) whereby the petitioner's basic pay was fixed at Rs.5160/- per month, on merger. Thereafter, his pay was wrongly fixed on 19.11.2009 (Annexure P3) @ Rs.4700/- per month, at an amount lower than the one which had already been fixed. He had filed representation dated 03.12.2009 (Annexure P4) for correction of his pay fixation and for restoration of his basic pay from Rs.4700/- to Rs.5160/-, w.e.f., 20.02.2009 and for releasing the arrears of pay along with interest.

Counsel for the petitioner 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), has set aside the orders whereby the basic pay had been reduced. It is further pointed out that directions have also been issued to decide the representations, in various cases and necessary reliefs have been granted to the said employee and reference is made to the case of Darshana Rani widow of Late Ram Chand (Annexures P6 & P7). He 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 03.12.2009 (Annexure P4).

Keeping in view the limited controversy involved, this Court does not feel it necessary to call upon the respondents to file reply.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of, with a direction to respondent No.1 to decide the representations dated 03.12.2009 (Annexure P4), 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.

FEBRUARY 25, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE