

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.4160 of 2016

Date of decision: 2.3.2016

Balbir Singh Bakshi

...Petitioner

Versus

The State of Punjab and others

...Respondents

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

Present: Mr. Puran Chand Arora, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks re-fixation of his pay at par with his junior Sh. P.C.Singla in consequence of the regularisation of the service of the petitioner and that of the junior by the Departmental Promotion Committee vide order dated 23.1.2007 (Annexure P/1).

It is case of the petitioner that he was appointed on 2.12.1967 whereas his junior was appointed on 1.7.1970. The pay of the petitioner had been fixed at ₹ 47,380/- whereas his junior's pay was fixed at ₹ 52,250/- in the revised pay scale w.e.f. 1.1.2006. It is further case of the petitioner that even respondent no.2 has forwarded his case to respondent no.1 on 6.2.2014 (Annexure P/2) for necessary action and approval but no action has been taken on the same. Legal notice dated 17.12.2015 (Annexure P/10) has also been served upon bringing this fact to notice of respondents but to no avail.

Counsel for the petitioner submits that he would be satisfied if a direction is issued to respondent no.1 to decide the recommendation dated 6.2.2014 (Annexure P/2) made by respondent no.2 and the legal notice dated 17.12.2015 (Annexure P/10) within some fixed time frame.

Notice of motion.

Mr. R.S.Sidhu, Assistant Advocate General, Punjab accepts

notice on behalf of respondents. Copies of the writ petition have been supplied to him.

Keeping in view the limited relief sought by the petitioner, this Court is of the opinion that there is no requirement of calling for any reply on behalf of the State.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of with a direction to respondent no.1 to take into consideration the recommendation dated 6.2.2014 (Annexure P/2) made by respondent no.2 and the legal notice dated 17.12.2015 (Annexure P/10) and pass an appropriate order in accordance with law within a period of two months from the date of receipt of a certified copy of this order. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

The present writ petition is disposed off with the aforesaid directions.

March 02, 2016
Pka

(G.S.SANDHAWALIA)
Judge