

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.528 of 2016

Date of decision: 13.1.2016

Harbans Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Nakul Sharma, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks fixation of his salary equivalent to the salary of his junior Kirpal Singh, Circle Head Draftsman (retired) according to the Government rules.

The said claim is based on the recommendation given by respondent no.2-Chief Engineer, Punjab Public Works Department, B & R Branch, Patiala.

Counsel for the petitioner submits that the petitioner was promoted as Circle Head Draftsman on 25.8.2005. A representation had been filed on 31.1.2011 (Annexure P/4) that the junior promoted on 29.5.2007 was getting more salary which was not acted upon and the petitioner thereafter had also represented. Reference is made to letter dated 29.7.2013 (Annexure P/8) whereby recommendation has been made by respondent no.2 to respondent no.1 for fixing the salary of the petitioner equal to his junior.

Counsel for the petitioner submits that various representations have also been made thereafter but no action has been taken and he would be satisfied if a direction is issued to respondent no.1 to decide the representation dated 31.1.2011 (Annexure P/4) within some fixed time frame.

Notice of motion.

Mr. Anshul Gupta, 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 entitlement of the petitioner, the present writ petition is disposed of with a direction to respondent no.1 to take into consideration the representation dated 31.1.2011 (Annexure P/4) and pass an appropriate order in accordance with law within a period of three months from the date of receipt of a certified copy of this order. In case the petitioner is found entitled for the said benefit, the financial benefits be paid to be him within two months thereafter. 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.

January 13, 2016
Pka

(G.S.SANDHAWALIA)
Judge