

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

CWP No. 5765 of 2016

Date of decision : 29.03.2016

Virender Singh

...Petitioner

versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Munish Kumar Garg, Advocate
for the petitioner.

RITU BAHRI , J. (Oral)

The precise grievance of the petitioner is that he was appointed for the post of Peon on 14.11.2005 and was later on promoted to the post of LDC on 14.01.2011 and his pay was fixed in the pay scale of Rs.5200-20200+2400. Thereafter, his pay was fixed at par with Mr. Ashok Kumar, LDC who was junior to the petitioner. However, in the month of December, 2014, the pay of the petitioner was again re-fixed on the ground that seniority certificate was not issued by the competent authority.

Learned counsel for the petitioner submits that the pay of the petitioner should not be re-fixed as he was senior to Ashok Kumar and also appointed prior to him.

A detailed legal notice dated 31.01.2015 and reminder dated 26.05.2014 in this regard (P-13 and P-14) has been given but no action has been taken till date.

Learned counsel for the petitioner states, that at this stage, the petitioner will be satisfied, if directions are issued to respondents to decide the legal notice, referred to above.

In view of above, without commenting on the merits of the case, this petition is disposed of with a direction to the respondent Nos 2 and 3 to decide the legal notice dated 31.01.2015 of the petitioner by passing a speaking order by refixing his pay at par with Ashok Kumar, in accordance with law, within a period of three months from the date of receipt of certified copy of this order. Till the date of decision on the legal notice by the department, order dated 30.12.2014 shall not be implemented.

(RITU BAHRI)
JUDGE

29.03.2016

G Arora